

33rd G. A.

1328.373

129bs Illinois. General Assembly. Senate.

Bills: proposed legislation introduced in the
Senate. 33rd General Assembly, January-May 1883,
Bill no. 1-444.

Each bill carries a short synopsis and credits
the legislators introducing it.

Senate resolutions are at end of bills.

Sequential numbers assigned at time of filing.

Numbering begins anew with each biennium.

Following Senate Bills are missing:

7	118	235-236	341
10	120-124	239	343
17	127-128	241-242	350
19-20	130-134	244-245	352-353
25	138	247	355-356
28-30	140-142	249-250	362-363
32-33	146-149	253	365
36	152	258-260	368-370
40-41	154	263-264	375
49-51	156-157	269	384-386
56-58	159	271-273	388
61	161	277-278	394
66	163-165	280	396
68-69	170-172	284-288	398
72	175-176	290-292	404
74-76	181	294-295	406
78-80	184	296-298	407
83	187-193	301	414-416
85	195	306-308	419
87	201	313	428
90	203	319	431
92	205-207	321	434
94	211	324	437-438
101-102	213	326	440
105-106	216-222	329-331	442
109	224-225	333	
115-116	231	336-338	

33. 22

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1. Introduced by Mr. Archer, January 10, 1883, and ordered to first reading.
 2. First reading January 10, 1883, and referred to Committee on Judiciary.
 3. Reported back February 2, 1883, with amendment, passage recommended, and ordered to second reading.
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A BILL

For An Act in regard to proof of deeds and other instruments in writing when attested by subscribing witnesses.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That whenever any deed, mortgage, conveyance, release, power of attorney or other writing of or relating to the sale, conveyance or other disposition of real estate, or any interest therein, or any other instrument in writing not required by law to be attested by a subscribing witness, may be offered in evidence in any civil cause pending in any court of law or equity in this State, and the same shall appear to have been so attested, and it shall become necessary to prove the execution of any such deed or other writing otherwise than as now provided by law, it shall not be necessary to prove the execution of the same by a subscribing witness to the exclusion of other evidence, but it may be proved in the same manner as if there was no subscribing witness thereto.*

Amendment

To Senate bill No. 1, proposed by the Judiciary Committee.

Amend by striking out the last three lines of the written bill, and insert in lieu thereof "*but the execution of such instrument may be proved by secondary evidences without producing or accounting for the absence of the subscribing witness or witnesses.*"



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1. Introduced by Mr. Archer, January 10, 1883, and ordered to first reading.
 2. First reading January 10, 1883, and referred to Committee on Judiciary.
 3. Reported back February 2, 1883, with amendment, passage recommended, and ordered to second reading.
 4. Second reading February 15, 1883, amended and ordered to third reading.
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A BILL

For An Act in regard to proof of deeds and other instruments in writing when attested by subscribing witnesses.

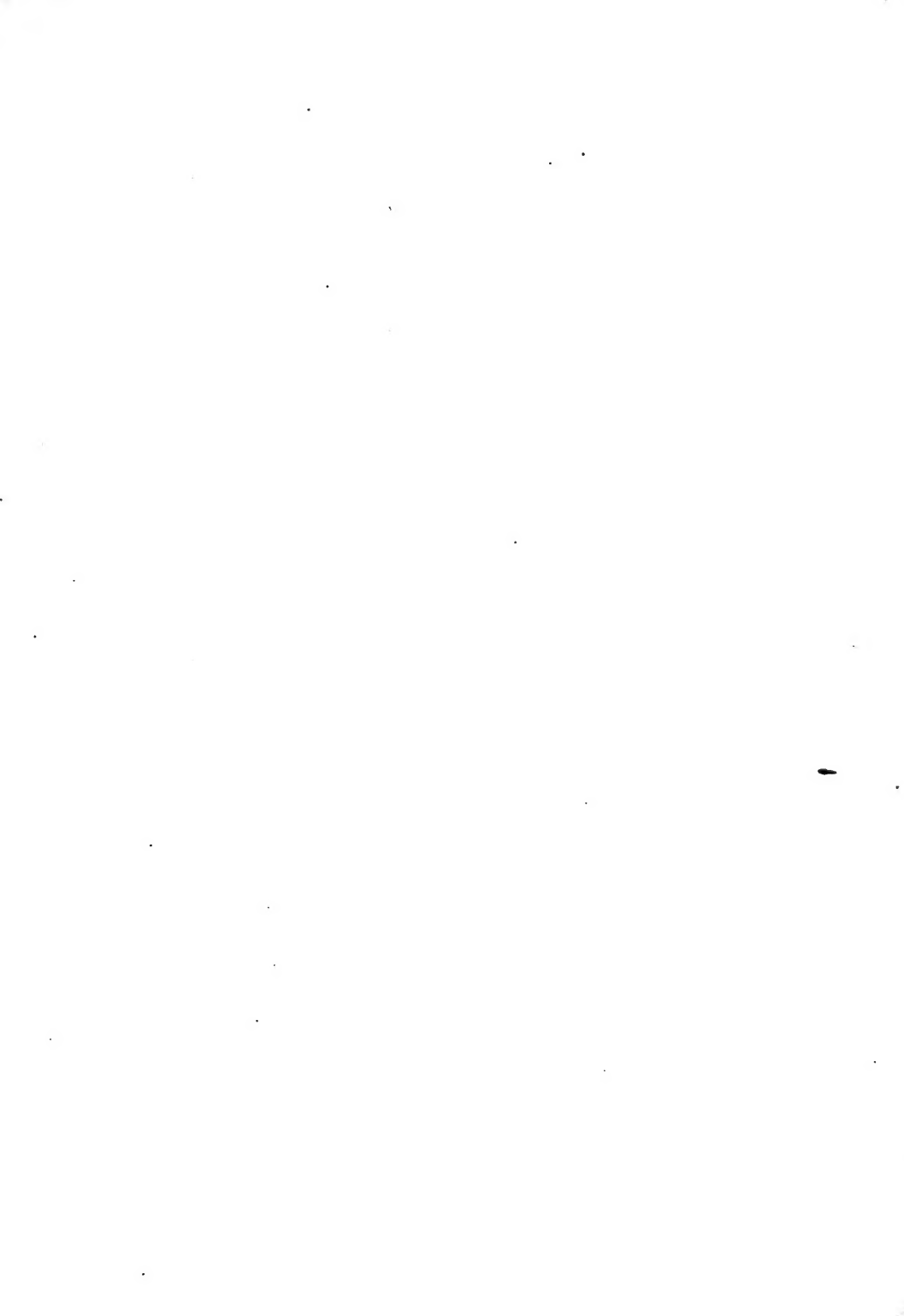
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any deed, mortgage, conveyance, release, power of attorney or other writing of or relating to the sale, conveyance or other disposition of real estate, or any interest therein, or any other instrument in writing not required by law to be attested by a subscribing witness, may be offered in evidence in any civil cause pending in any court of law or equity in this State, and the same shall appear to have been so attested, and it shall become necessary to prove the execution of any such deed or other writing otherwise than as now provided by law, it shall not be necessary to prove the execution of the same by a subscribing witness to the exclusion of other evidence, but the execution of such instrument may be proved by secondary evidence without producing or accounting for the absence of the subscribing witness or witnesses.

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1. Reported to House, April, 1883.
 2. First reading March 10, 1883, and referred to Committee on Judiciary.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading April 8, 1888.
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A BILL

For An Act in regard to proof of deeds and other instruments in writing when attested by subscribing witnesses.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any deed, mortgage, conveyance, release, power of attorney or other writing of or relating to the sale, conveyance or other disposition of real estate or any interest therein, or any other instrument in writing not required by law to be attested by a subscribing witness, may be offered in evidence in any civil cause pending in any court of law or equity in this State, and the same shall appear to have been so attested, and it shall become necessary to prove the execution of any such deed or other writing otherwise than as now provided by law, it shall not be necessary to prove the execution of the same by a subscribing witness to the exclusion of other evidence, but the execution of such instrument may be proved by secondary evidence without producing or accounting for the absence of the subscribing witness or witnesses.



1. Introduced by Mr. Morris, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Judiciary.
3. Reported back February 13, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend the title of an act entitled "An act to regulate the traffic in deadly weapons and to prevent the sale of them to minors," approved April 16, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That the title of an act entitled "An act to regulate the
3 traffic in deadly weapons and to prevent the sale of them to minors," be
4 and the same is hereby amended so as to read as follows:
5 "An act to regulate the traffic in deadly weapons, to prevent the sale of
6 them to minors, and to prevent the carrying of concealed weapons."

§ 2. Whereas, an emergency exists, by reason of the doubtful constitu-
2 tionality of part of the said act under said title, therefore this act shall be
3 in force and take effect from and after its passage.

AMENDMENTS TO SENATE BILL NO. 2, PROPOSED BY THE COM- MITTEE ON JUDICIARY.

Amend the title of the bill by adding at the end thereof the words fol-
2 lowing: "And to add an additional section to said act, to be known as
3 section 4."

4 Amend by adding at the end of section one of the bill the following:

5 "Section 4. Whoever shall carry a concealed weapon upon or about his
6 "person of the character in this act specified, or razor as a weapon, or who-
7 "ever in a threatening or a boisterous manner shall display or flourish any
8 "deadly weapon, shall be guilty of a misdemeanor and shall be fined in any
9 "sum not less than twenty-five dollars (\$25) nor more than two hundred
10 "dollars (\$200)."

1. Introduced by Mr. Morris, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Judiciary.
3. Reported back February 13, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 2, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend the title of an act entitled "An act to regulate the traffic in deadly weapons and to prevent the sale of them to minors," approved April 16, 1881, in force July 1, 1881; and to add an additional section to said act, to be known as section 4.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly, That the title of an act entitled "An act to regulate the*
3 *traffic in deadly weapons and to prevent the sale of them to minors," be and*
4 *the same is hereby amended so as to read as follows:*
5 "An act to regulate the traffic in deadly weapons, to prevent the sale
6 of them to minors, and to prevent the carrying of concealed weapons."
7 "Section 4. Whoever shall carry a concealed weapon upon or about his
8 "person of the character in this act specified, or razor as a weapon, or who
9 "ever in a threatening or boisterous manner shall display or flourish any
10 "deadly weapon, shall be guilty of a misdemeanor and shall be fined in any
11 "sum not less than twenty-five dollars (\$25) nor more than two hundred dol-
12 "lars (\$200)."

§ 2. Whereas, an emergency exists, by reason of the doubtful constitution-
2 ality of part of the said act under said title, therefore this act shall be in
3 force and take effect from and after its passage.

1. Reported to House April 6, 1883.
2. First reading April 7, 1883, and referred to Committee on Judiciary.
3. Reported back, passage recommended, report concurred in, and ordered to second reading April 24, 1883.

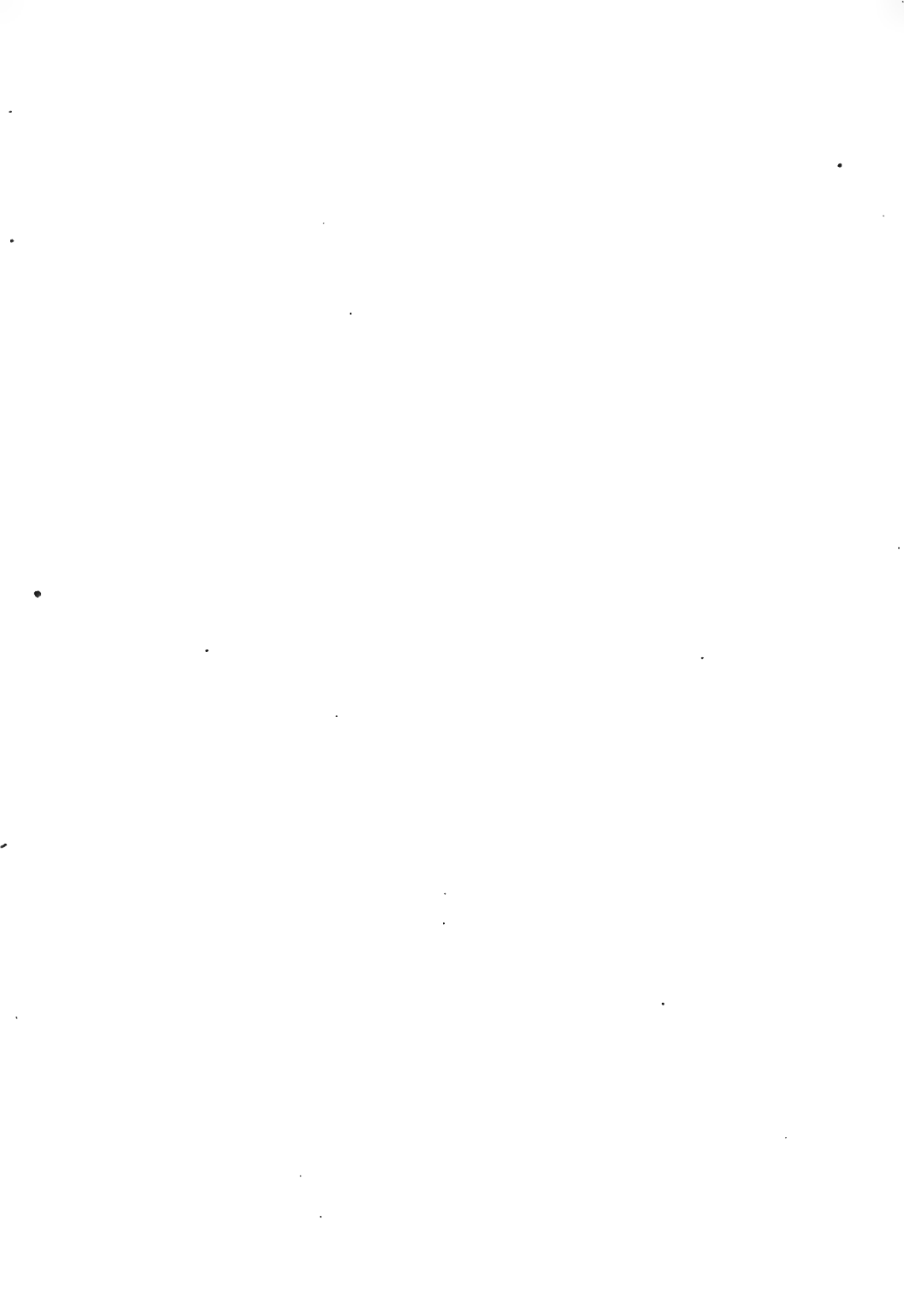
A BILL

For An Act to amend the title of an act entitled "An act to regulate the traffic in deadly weapons, and to prevent the sale of them to minors," approved April 16, 1881, in force July 1, 1881; and to add an additional section to said act, to be known as section 4.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That the title of an act entitled "An act to regulate the traffic in deadly weapons, and to prevent the sale of them to minors," be and the same is hereby amended, so as to read as follows: "An act to regulate the traffic in deadly weapons, to prevent the sale of them to minors, and to prevent the carrying of concealed weapons."

"Section 4. Whoever shall carry a concealed weapon upon or about his person of the character in this act specified, or razor as a weapon, or whoever in a threatening or boisterous manner, shall display or flourish any deadly weapon, shall be guilty of a misdemeanor and shall be fined in any sum not less than twenty-five dollars (\$25), nor more than two hundred dollars (\$200)."



1. Introduced by Mr. Secrest, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Judiciary.
3. Reported back February 23, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That an act entitled "An act to revise the law in relation
3 to criminal jurisprudence," approved March 27, 1874, be and the same is
4 hereby amended by adding the following section:
5 "§ 1904. Whoever wilfully and maliciously cuts, injures, mars, floods or
6 otherwise damages or destroys any ice, forming, formed or being upon any
7 waters within this State from which ice is or may be taken as an article of
8 merchandise, whereby the taking thereof is hindered or the value thereof
9 diminished for that purpose, or whoever wilfully and maliciously incites or
10 procures another so to do, shall be fined not exceeding \$500, or confined in
11 the county jail not exceeding one year, or both, according to the nature and
12 aggravation of the offense; and in any indictment for said offense it shall
13 not be necessary to allege or prove the title or ownership of the ice so cut,
14 injured, marred, flooded, damaged or destroyed."

To the Honorable, the President of the Senate:

The Committee on Judiciary, to whom was referred S. B. No. 3, being a bill for "An act to amend an act entitled 'An act to revise the law in relation to criminal jurisprudence,'".

Respectfully beg leave to report the same back with amendments thereto, and recommend that it do pass as amended.

GEORGE HUNT, *Chairman.*

AMENDMENTS TO SENATE BILL NO. 3, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend by striking out the word "cuts," in line 9, section 1.
2. Amend by striking out all after the word "offense," in line 14, section 1994.
3. Amend by striking out the figures "1994," and insert in lieu thereof the figures "273."

1. Introduced by Mr. Secret, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to the Committee on Judiciary.
3. Reported back February 28, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 5, 1883, amended, and ordered to a third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to criminal jurisprudence,"

approved March 27, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That an act entitled "An act to revise the law in relation to criminal jurisprudence,"

3 approved March 27, 1874, be and the same is hereby amended by adding the following section:

4 "§ 273. Whoever willfully and maliciously injures, mows, floods or otherwise damages or
5 destroys any ice, forming, formed or being upon any waters within this State from which ice is or
6 may be taken as an article of merchandise, whereby the taking thereof is hindered or the value
7 thereof diminished for that purpose, or whoever willfully and maliciously incites or procures
8 another so to do, shall be fined not exceeding \$500, or confined in the county jail not exceeding
9 one year, or both, according to the nature and aggravation of the offense.

To the Honorable, the President of the Senate:

The Committee on Judiciary, to whom was referred S. B. No. 3, being a bill for "An act to amend an act entitled 'An act to revise the law in relation to criminal jurisprudence,'"

Respectfully beg leave to report the same back with amendments therein, and recommend that it do pass as amended.

GEORGE HUNT, *Chairman.*

AMENDMENTS TO SENATE BILL NO. 3, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend by striking out the word "out," in line 9, section 1.
2. Amend by striking out all after the word "offense," in line 14, section 199½.
3. Amend by striking out the figures "199½," and insert in lieu thereof the figures "273."

1. Reported to House May 11, 1883.
2. First reading May 11, 1883, and referred to Committee on Judiciary.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That an act entitled "An act to revise the law in relation to
3 criminal jurisprudence," approved March 27, 1874, be, and the same is hereby
4 amended by adding the following section:

5 "Section 273. Whoever willfully and maliciously injures, mars, floods or
6 otherwise damages or destroys any ice, forming, formed or being upon any
7 waters within this State from which ice is or may be taken as an article of
8 merchandise, whereby the taking thereof is hindered or the value thereof
9 diminished for that purpose, or whoever willfully and maliciously incites or
10 procures another so to do, shall be fined not exceeding \$500, or confined in
11 the county jail not exceeding one year, or both, according to the nature
12 and aggravation of the offense."



1. Introduced by Mr. Secrest, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Judiciary.
3. Reported back February 28, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 197 of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

9 *General Assembly,* That section one hundred and ninety-seven (§197) of
10 Division I of an act entitled "An act to revise the law in relation to criminal
11 jurisprudence," approved March 27, 1874, be so amended as to read as follows:

12 "§ 197. Whoever wilfully and maliciously injures, removes or destroys any
13 canal, levee, dam, reservoir, trench or their appurtenances, or the gear or
14 machinery of any manufactory or mill; draws off, or incites or procures to be
15 drawn off the water from any mill pond, reservoir, canal or trench, whereby
16 any water power is injured or the use thereof is restricted or impaired, or
17 so as to injure, damage or destroy any ice upon any waters in this State,
18 or diminish the value or prevent or hinder the taking and removal thereof
19 as an article of merchandise; destroys or injures any engine or its apparatus
20 for the extinguishment of fires, or any posts, glass caps, wires or other materials
21 used in the construction or operation of any telegraph; removes, injures
22 or destroys any public or toll bridge, or places any obstruction on
23 such bridge or on any public road with intent to injure any persons or property
24 passing thereon, shall be fined not exceeding five hundred dollars, or

19 confined in the county jail not exceeding one year or both. This section, so
20 far as it relates to roads and bridges, is cumulative to other remedies pro-
21 vided by law."

1. Introduced by Mr. Secrest, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Judiciary.
3. Reported back February 28, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 5, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 197, of an act, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section one hundred and ninety-seven (§197), of Division I, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, be so amended, as to read as follows:

"Section 197. Whoever willfully and maliciously injures, removes or destroys any canal, levee, dam, reservoir, trench or their appurtenances, or the gear or machinery of any manufactory or mill; draws off, or incites or procures to be drawn off the water from any mill pond, reservoir, canal or trench, whereby any water power is injured or the use thereof is restricted or impaired, or so as to injure, damage or destroy any ice upon any waters in this State, or diminish the value or prevent or hinder the taking and removal thereof as an article of merchandise; destroys or injures any engine or its apparatus for the extinguishment of fires, or any posts, glass caps, wires or other materials used in the construction or operation of any telegraph; removes, injures or destroys any public or toll bridge, or places any obstruction on such bridge or on any public road with intent to injure any persons or property passing thereon, shall be fined not exceeding five hundred dollars, or confined in the county jail not exceeding one year or both."



1. Reported to House May 11, 1883.
2. First reading May 16, 1883, and referred to Committee on Judiciary.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act to amend section 197, of an act, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874.

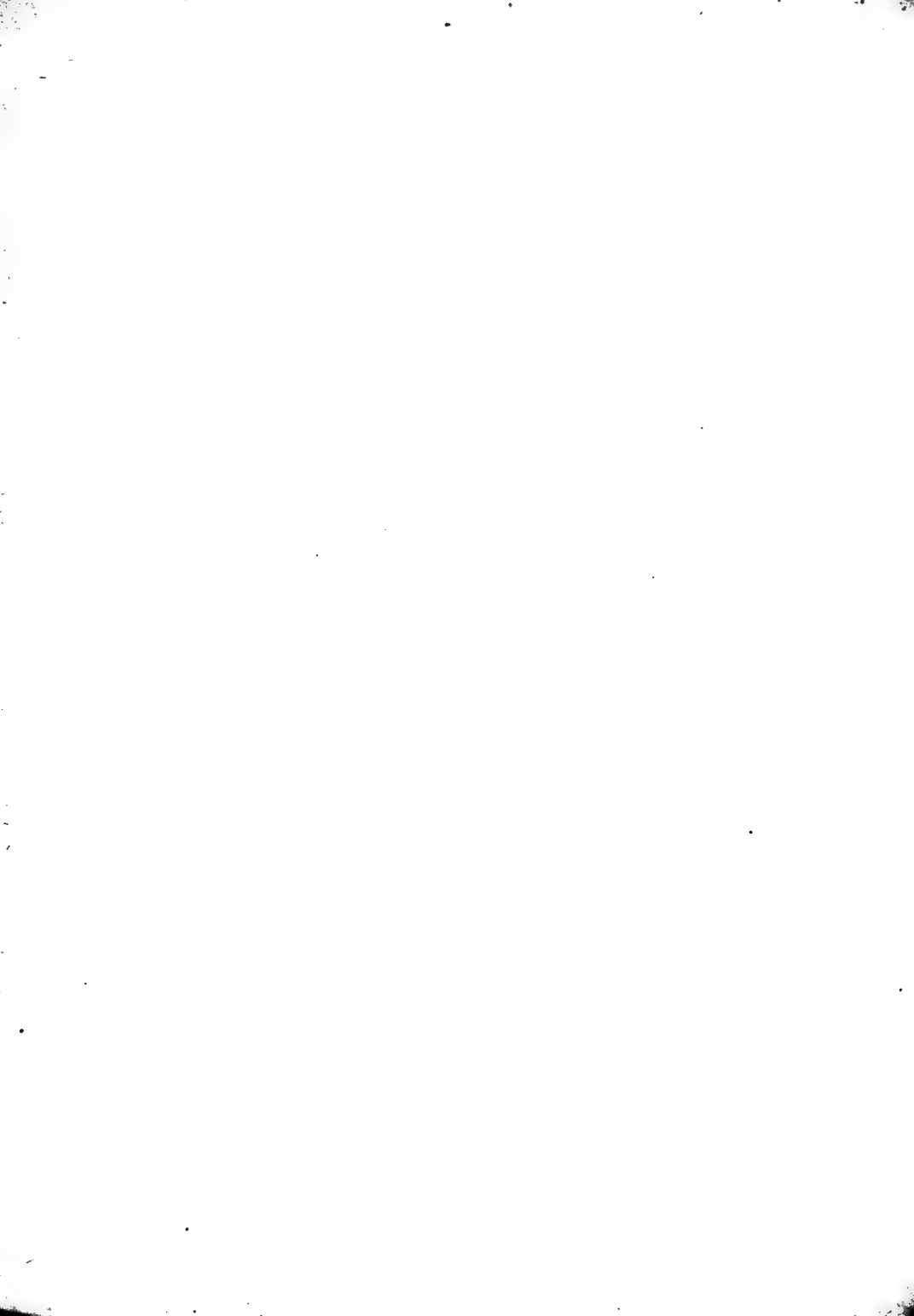
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section one hundred and ninety-seven (197), of Division I. of an act entitled "An act to revise the law in relation to criminal
3 jurisprudence," approved March 27, 1874, be so amended, as to read as follows:
4 "Section 197. Whoever willfully and maliciously injures, removes or destroys
5 any canal, levee, dam, reservoir, trench or their appurtenances, or the gear or
6 machinery of any manufactory or mill; draws off, or incites or procures to be
7 drawn off the water from any mill-pond, reservoir, canal or trench, whereby
8 any water-power is injured or the use thereof is restricted or impaired or so
9 as to injure, damage or destroy any ice upon any waters in this State, or
10 diminish the value or prevent or hinder the taking and removal thereof as an
11 article of merchandise; destroys or injures any engine or its apparatus for
12 the extinguishment of fires, or any posts, glass caps, wires or other materials
13 used in the construction or operation of any telegraph; removes, injures or
14 destroys any public or toll bridge, or places any obstruction on such bridge
15 or on any public road with intent to injure any persons or property passing
16 thereon, shall be fined not exceeding five hundred dollars, or confined in the
17 county jail not exceeding one year or both."

Amend by adding thereto the following committee amendment:

"Section 1974. Whoever shall, without the consent of the owner, or person
2 entitled to the occupancy for the purpose of fish culture, enter any pond, the
3 same being private property, for the purpose of hunting, fishing or bathing,
4 or who shall in any manner willfully and maliciously befoul the waters of
5 any such pond, or shall make any breach in the walls or dams of any such
6 pond, or who shall in any manner take from any such pond any fish, fish-spawn
7 or minnows, or in any manner willfully and maliciously damage, disturb or
8 injure any fish, fish-spawn or minnows in any such pond, shall be fined in any
9 sum not exceeding two hundred dollars."

"Section 1974. Whoever shall, without the consent of the owner, or person
2 entitled to the occupancy for the purpose of fish culture, enter any pond, the
3 same being private property, for the purpose of hunting, fishing or bathing,
4 or who shall in any manner willfully and maliciously befoul the waters of
5 any such pond, or shall make any breach in the walls or dams of any such
6 pond, or who shall in any manner take from any such pond any fish, fish-spawn
7 or minnows, or in any manner willfully and maliciously damage, disturb or
8 injure any fish, fish-spawn or minnows in any such pond, shall be fined in any
9 sum not exceeding two hundred dollars."



1. Introduced by Mr. Shaw, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Railroads.
3. Reported back February 27, 1883, passage recommended, accompanied by a minority report.
4. March 1, 1883, ordered to a second reading, and to be printed.

A BILL

For. An Act to amend sections one and two of an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That sections one (1) and two (2) of an act entitled "An
3 act to establish a Board of Railroad and Warehouse Commissioners, and
4 prescribe their powers and duties," approved April 13, 1871, be and the same
5 are amended so as to read as follows:

6 "Section 1. *Be it enacted by the People of the State of Illinois, represented in*
7 *the General Assembly*, That at the general election to be held in November,
8 A. D. 1884, there shall be elected by the qualified voters of this State, three
9 commissioners, and one such commissioner shall be elected at the November
10 election biennially thereafter, who shall constitute a board of three commis-
11 sioners, to be styled 'the Railroad and Warehouse Commissioners.' The term
12 of office of such commissioners shall be six years, commencing on the first
13 day of January succeeding their election, and until their successors are
14 elected and qualified, except those elected in November, A. D. 1884, whose
15 term of office shall be two, four and six years, respectively, to be determined
16 by lot among them on the ————— at the office, and under the
17 supervision of the Secretary of State. Said 'Railroad and Warehouse Com-

18 mission' shall be successors in office to the existing 'Railroad and Warehouse
19 Commission,' which commission is continued until the Commissioners herein
20 provided for are elected and qualified. The same notice shall be given, the
21 election held for the office of such commissioners, and the returns thereof
22 made and canvassed by the same officers, and in the same time and manner,
23 as is or may be provided by law for the election, return and canvass of the
24 votes of other State officers.

25 "Section 2. No person shall be elected as such commissioner who is at the
26 time of his election in any way connected with any railroad company, or
27 warehouse, or who is directly or indirectly interested in any stock, bond or
28 other property of, or is in the employment of any railroad company or
29 warehouseman. And no person elected as such commissioner shall, during
30 the term of his office, become interested in any stock, bond or other property
31 of any railroad company or warehouse, or in any manner be employed by,
32 or connected with, any railroad company or warehouse.

1. Introduced by Mr. Shaw, January 10, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Railroads.
3. Reported back February 27, 1883, not pass, with minority report do pass.
4. Minority report adopted March 1, 1883, and ordered to a second reading.
5. Second reading March 14, 1883, and enacting clause stricken out.
6. Reconsidered March 29, 1883, amended and ordered to a third reading.

A BILL

For An Act to amend sections one and two, of an act, entitled "An act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2), of an act entitled "An act to establish a Board of Railroad and Warehouse Commissioners, and prescribe their powers and duties," approved April 13, 1871, be and the same are amended, so as to read as follows:

"Section 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That at the general election to be held in November, A. D. 1884, there shall be elected by the qualified voters of this State, three commissioners, and one such commissioner shall be elected at the November election biennially thereafter, who shall constitute a board of three commissioners, to be styled 'The Railroad and Warehouse Commissioners.' The term of office of such commissioners shall be six years, commencing on the first day of January succeeding their election, and until their successors are elected and qualified, except those elected in November, A. D. 1884, whose term of office shall be two, four and six years, respectively, to be determined by lot among them on the last Monday in December, A. D. 1884, at the office, and under the supervision of the Secretary of State. Said 'Railroad and Warehouse Commission' shall be successors in office to the existing 'Railroad and Warehouse Commission,' which commission is continued until the commissioners herein provided for are elected and qualified. The same notice shall be given, the election held for the office of such commissioners, and the returns thereof made and canvassed by the same officers, and in the same time and manner, as is

19 or may be provided by law for the election, return and canvass of the votes of members of the
20 General Assembly.

21 "Section 2. No person shall be elected as such commissioner who is at the time of his elec-
22 tion in any way connected with any railroad company, or warehouse, or who is directly or in-
23 directly interested in any stock, bond or other property of, or is in the employment of any rail-
24 road company or warehouseman And no person elected as such commissioner shall, during
25 the term of his office, become interested in any stock, bond or other property of any railroad
26 company or warehouse, or in any manner be employed by, or connected with any railroad com-
27 pany or warehouse."

1. Introduced by Mr. Gillham January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Corporations
3. Reported back February 16, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 42 of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section 42 of an act entitled "An act concerning cor-
3 porations," approved April 18, 1872, in force July 1, 1872, be and the same is
4 hereby amended so as to read as follows:

5 "Section 42. Any corporation that may be formed for religious purposes
6 under this act, or under any law of this State for the incorporation of religious
7 societies, may receive and hold lands by gift, devise or purchase, and may erect
8 or build thereon such houses, buildings or other improvements as it may
9 deem necessary for the convenience and comfort of such congregation, church
10 or society, and may lay out and maintain thereon a burying ground; but no
11 such property shall be used except in the manner expressed in the gift, grant
12 or devise, or if no use or trust is so expressed, except for the benefit of the
13 congregation, church or society for which it was intended: *Provided, however,*
14 *that all of said land, in excess of ten acres, not used exclusively for cemetery*
15 *purposes, shall be sold by such corporation at public or private sale within*
16 *five years after the same shall be received by such corporation, and the pro-*
17 *ceeds thereof be retained and used by such corporation for its benefit: And,*
18 *provided, further,* that in case such corporation shall not, within said period
19 of five years, sell such land either at public or private sale, as aforesaid, it

20 shall be the duty of the State's Attorney to proceed by information in the
 21 name of the people of the State of Illinois against such corporation, in the
 22 circuit court of the county within which such land so neglected to be sold
 23 shall be situated, and such court shall have jurisdiction to hear and deter-
 24 mine the fact, and to order the sale of such land or real estate at such time
 25 and place, subject to such rules as the court shall establish. The court shall
 26 tax as the fees of the State's Attorney, such sum as shall be reasonable; and
 27 the proceeds of such sale, after deducting the said fees and costs of proceed-
 28 ings, shall be paid over to such corporation. And if a sale of any such land
 29 herein required to be sold should be inconsistent with the use expressed in the
 30 gift, grant or devise thereof, the title thereto shall, at the end of said period of
 31 five years, revert to and become revested in the donor, grantor or testator
 32 thereof, his heirs or assigns."

**AMENDMENTS TO SENATE BILL NO. 6, RECOMMENDED BY THE COM-
 MITTEE ON CORPORATIONS.**

1. Amend, after the word benefit, in the 20th line of section 42, by the insert-
 2 ing of the following: "Nothing herein contained shall be held to exempt from
 3 taxation any part of the property required to be sold as aforesaid, in excess of
 4 ten acres, and not used exclusively for cemetery purposes by such religious
 5 society."
2. Amend by adding the following to section 42: "All conveyances to and
 7 from religious corporations, of land in excess of ten acres, and not used exclu-
 8 sively for cemetery purposes, by such religious societies, now authorized to be
 9 held, shall be made in duplicate, and filed in the office of the Attorney General."

1. Introduced by Mr. Gillham January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Corporations.
3. Reported back February 16, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 6, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 42 of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section 42, of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 42. Any corporation that may be formed for religious purposes under this act, or under any law of this State, for the incorporation of religious societies, may receive and hold lands by gift, devise or purchase, and may erect or build thereon such houses, buildings or other improvements as it may deem necessary for the convenience and comfort of such congregation, church or society, and may lay out and maintain thereon a burying ground; but no such property shall be used except in the manner expressed in the gift, grant or devise, or if no use or trust is so expressed, except for the benefit of the congregation, church or society for which it was intended: *Provided, however*, that all of said land, in excess of ten acres, not used exclusively for cemetery purposes, shall be sold by such corporation at public or private sale within five years after the same shall be received by such corporation, and the proceeds thereof be retained and used by such corporation for its benefit. Nothing herein contained shall be held to exempt from taxation any part of the property required to be sold, as aforesaid, in excess

20 of ten acres, and not used exclusively for cemetery purposes by such religi-
 21 ous society: *And provided, further,* that in case such corporation shall not,
 22 within said period of five years, sell such land either at public or private
 23 sale, as aforesaid, it shall be the duty of the State's Attorney to proceed by
 24 information in the name of the People of the State of Illinois, against such
 25 corporation, in the circuit court of the county within which such land so
 26 neglected to be sold shall be situated, and such court shall have jurisdiction
 27 to hear and determine the fact, and to order the sale of such land or real
 28 estate at such time and place, subject to such rules as the court shall
 29 establish. The court shall tax as the fees of the State's Attorney, such sum
 30 as shall be reasonable; and the proceeds of such sale, after deducting the
 31 said fees and costs of proceedings, shall be paid over to such corporation.
 32 And if a sale of any such land herein required to be sold should be incon-
 33 sistent with the use expressed in the gift, grant or devise thereof, the title
 34 thereto shall, at the end of said period of five years, revert to and become
 35 re-vested in the donor, grantor or testator thereof, his heirs or assigns. All
 36 conveyances to and from religious corporations, of land in excess of ten
 37 acres, and not used exclusively for cemetery purposes by such religious
 38 societies, now authorized to be held, shall be made in duplicate, and one copy
 39 thereof filed in the office of the Attorney General."

1. Introduced by Mr. Tanner, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Appropriations.
3. Reported back March 22, 1883, recommending that it be printed for information.

A BILL

For An Act making an appropriation for the relief of William J. Ralph, who was disabled in the service of the State, by being knocked down by a horse, and then run over by the wheel of a cannon, belonging to the State of Illinois.

WHEREAS, The said William J. Ralph, a member of Battery B, of the Illinois National Guard, while on duty at a parade of the Second Brigade, of the Illinois National Guard, held under the orders of Shelby M. Cullom, commander-in-chief of the Illinois National Guard, at Bloomington, Illinois, on or about the 7th day of September, 1881, during a sham-battle, was knocked down by a horse, ridden by an officer, and without any negligence of his own, and by the breaking of the trail-spike of the gun, the persons in charge of the gun were unable to control its movements, and in consequence the gun ran over the said Ralph, breaking some of his ribs, and otherwise severely bruising and permanently injuring him; the said Ralph being then on duty under orders of his superior officers; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of twenty-five hundred dollars (\$2,500) be appropriated out of the treasury out of any funds not otherwise appropriated for the purpose of compensating the said William J. Ralph, in full for all damages that may have accrued to him, by reason of the injuries aforesaid, received while in the service of the State, as aforesaid.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrant upon the State Treasurer for the sum herein specified, and
3 the State Treasurer shall pay the same out of any funds in the State
4 Treasury not otherwise appropriated.

1. Introduced by Mr. Mamer, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883, and referred to Committee on Judiciary.
3. Reported back February 3, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section nine (9) of "An act concerning fees and salaries, and to classify the several counties of the State with reference thereto;" approved March 29, 1872, in force July 1, 1872; title as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section nine (9) of an act entitled "An act concerning fees and salaries, and to classify the several counties of the State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874, be amended so as to read follows:

"Section 9. It shall be the duty of each State's attorney of this State to make report in writing to the circuit court of their respective counties on the first day of every term thereof, of all fees, fines and forfeitures by him collected, which report shall be verified by the affidavits of the party making it, and shall be filed by the clerk, and recorded in a book by him to be kept for that purpose: *Provided*, State's attorneys in counties of the third class shall make a like report to the court having jurisdiction only in all cases of criminal or quasi-criminal nature, and in those cases on behalf of the People, and incident to such criminal or quasi-criminal matters, and shall be filed and recorded by the clerk of said court in like manner as in other counties by clerks of circuit courts. Any State's attorney failing or refusing to make such report, shall be suspended by the court until such report be made, and it shall be the duty of the court making such suspension, to appoint some suitable person to fill the vacancy caused thereby. And any State's attorney failing to make such report for two successive terms, shall be removed from office by the court, and the vacancy caused thereby shall be filled as is now or may be hereafter provided by law."



1. Introduced by Mr. Mamer, January 10, 1883, and ordered to first reading.
2. First reading January 10, 1883 and referred to Committee on Judiciary.
3. Reported back February 3, 1883, passage recommended, and ordered to second reading.
4. Second reading February 15, 1883, amended and ordered to a third reading.

A BILL

For An Act to amend section nine (9) of "An act concerning fees and salaries, and to classify the several counties of the State with reference thereto," approved March 29, 1872, in force July 1, 1873; title as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section nine (9) of an act entitled "An act concerning fees and
3 salaries, and to classify the several counties of the State with reference thereto," approved
4 March 29, 1872, in force July 1, 1873, title as amended by act approved March 28, 1874,
5 in force July 1, 1874, be amended so as to read as follows:
6 "Section 9. It shall be the duty of each State's attorney of this State to make report in
7 writing to the circuit court of their respective counties, on the first day of every term thereof,
8 of all fees, fines and forfeitures by him collected, which report shall be verified by affida-
9 vit of the party making it, and shall be filed by the clerk, and recorded in a book by him
10 to be kept for that purpose: *Provided,* the State's attorney in Cook county shall
11 make a like report to the criminal court of Cook county, and said report shall
12 be filed and recorded by the clerk of said court in like manner as in other coun-
13 ties by clerks of circuit courts. Any State's attorney failing or refusing to make
14 such report, shall be suspended by the court until such report be made, and it shall
15 be the duty of the court making such suspension to appoint some suitable person to fill the
16 vacancy caused thereby. And any State's attorney failing to make such report for two suc-
17 cessive terms, shall be removed from office by the court, and the vacancy caused thereby
18 shall be filled as is now or may be hereafter provided by law."



1. Reported to House, February 23, 1883.
2. First reading March 10, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.

A BILL

For An Act to amend section nine (9) of "An act concerning fees and salaries, and to classify the several counties of the State with reference thereto," approved March 29, 1872, in force July 1, 1873; title as amended by act approved March 23, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That section nine (9) of an act entitled "An act concerning fees and
3 salaries, and to classify the several counties of the State with reference thereto," approved
4 March 29, 1872, in force July 1, 1873, title as amended by act approved March 23, 1874,
5 in force July 1, 1874, be amended so as to read as follows:
6 "Section 9. It shall be the duty of each State's attorney of this State to make report in
7 writing to the circuit court of their respective counties, on the first day of every term thereof,
8 of all fees, fines and forfeitures by him collected, which report shall be verified by affida-
9 vit of the party making it, and shall be filed by the clerk, and recorded in a book by him
10 to be kept for that purpose: *Provided*, the State's attorney in Cook county shall
11 make a like report to the criminal court of Cook county, and said report shall
12 be filed and recorded by the clerk of said court in like manner as in other coun-
13 ties by clerks of circuit courts. Any State's attorney failing or refusing to make
14 such report, shall be suspended by the court until such report be made, and it shall
15 be the duty of the court making such suspension to appoint some suitable person to fill the
16 vacancy caused thereby. And any State's attorney failing to make such report for two suc-
17 cessive terms, shall be removed from office by the court, and the vacancy caused thereby
18 shall be filled as is now or may be hereafter provided by law."



To the Honorable, the President of the Senate:

The Committee on State Charitable Institutions, to whom was referred Senate Bill No. 11, being a bill for "An act to consolidate and provide for the management of the State charitable institutions and State reform school," respectfully beg leave to report the same back, and ask that it be printed for the use of the Committee.

J. W. FIFER, *Chairman.*

A BILL

For An Act to consolidate and provide for the management of the State Charitable Institutions and the State Reform School.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That the State institutions hereinafter named are recog-
3 nized and continued, and that they shall hereafter be known and designa-
4 ted by their respective titles as expressed in this section, namely:

CHARITABLE.

- 5 The Illinois Central Hospital for the Insane, at Jacksonville.
- 6 The Illinois Eastern Hospital for the Insane, at Kankakee.
- 7 The Illinois Northern Hospital for the Insane, at Elgin.
- 8 The Illinois Southern Hospital for the Insane, at Anna.
- 9 The Illinois Institution for the education of the Deaf and Dumb, at
- 10 Jacksonville.
- 11 The Illinois Institution for the education of the Blind, at Jacksonville.
- 12 The Illinois Asylum for Feeble-minded Children, at Lincoln.
- 13 The Illinois Soldiers' Orphans' Home, at Normal.
- 14 The Illinois Charitable Eye and Ear Infirmary, at Chicago.

CORRECTIONAL.

- 15
- 16 The Illinois State Reform School, at Pontiac.

§ 2. At the general election to be held in 1884, for State officers, there
2 shall be elected three persons, to be called and known as "The Board of

3 State Commissioners of Public Charities," one to be elected for two years,
 4 one for four years, and one for six years, and at each biennial election
 5 thereafter there shall be elected one such commissioner for the term of six
 6 years. At the election of 1884, and at any other election where for any
 7 cause more than one commissioner is to be elected, the ballots shall state
 8 the length of time for which each candidate is to be voted. The canvass
 9 and returns of said officers shall be made, and the votes counted and
 10 announced, in the same manner as other State officers.

§ 3. Said board of commissioners shall be a body corporate and politic for
 2 certain purposes, namely, to receive, hold, use, and convey property, real or
 3 personal, or disburse moneys, in the name of said corporation, belonging to
 4 each of the institutions named in this act, but in trust, and for the use of
 5 such institution to which said moneys or property may belong.

6 Said board shall control, manage, and direct the affairs of said several
 7 institutions, including the organization, government and discipline of all
 8 officers and employees, and other inmates of said institutions, with power to
 9 make contracts, to sue and be sued, plead and be impleaded, to have and to
 10 use a corporate seal, and to alter the same at pleasure, and to exercise all
 11 other powers usually belonging to such corporations, and necessary to the
 12 successful discharge of the obligations devolving by law upon said board,
 13 and to fulfill the objects for which said institutions have been severally
 14 established; but said board shall not have power to bind the State by any
 15 contract beyond the amount of the appropriations which may at the time
 16 have been made for the purposes expressed in the contract, nor sell or con-
 17 vey any part of the real estate belonging to any of the institutions com-
 18 mitted to their charge, without the consent of the legislature, except, that
 19 they may release any mortgage, or convey any real estate held by them as
 20 security for any money, or upon any trust the terms of which authorize
 21 such conveyance.

22 Said board of commissioners shall have power to make all necessary by-laws,
 23 rules and regulations concerning the government of the several institutions,
 24 and their respective inmates, not inconsistent with this act; but no person

25 shall be appointed superintendent of either of the hospitals for the insane,
26 nor for the education of the feeble-minded children, who is not an educa-
27 ted and competent physician.

28 Said board of commissioners shall appoint for each of said institutions, a
29 superintendent, secretary and treasurer, and shall have power to appoint
30 such other officers and agents, not herein otherwise provided for, as may be
31 needed for the successful management thereof, define their duties, fix their
32 compensation, discharge them when the general welfare of the institution
33 demands, except that the salaries for officers and agents shall be subject to
34 revision by the General Assembly, in the appropriations, whenever deemed
35 proper.

36 Said board of commissioners shall have sole control of the purchase of
37 supplies of said institution, and shall cause such purchase to be made when-
38 ever the best grade of articles of suitable quantity can be bought at the
39 lowest price, and, so far as practicable, in large, rather than small quanti-
40 ties, and they shall, if in their judgment it can be done with advantage,
41 advertise for proposals for sample supplies, and make contracts for furnish-
42 ing the same in bulk or in quantities as may be needed for use. Said board
43 shall also have power, by themselves or financial agent, to annul and termi-
44 nate such contract, whenever the supplies furnished do not fully correspond
45 in quality and quantity to the samples previously furnished by the contrac-
46 tors, and to the letter and spirit of the proposals made by them. No draw-
47 backs, presents or secret discounts shall be given or be received by any per-
48 son whatever on account of any articles or materials furnished to, or labor
49 done for any institution, and any violation of this proviso shall subject the
50 offender, on conviction in any court of record, to a fine not more than one
51 thousand dollars, or imprisoned in the penitentiary for a term of not less
52 than one nor more than three years.

53 Said board shall hold regular stated meetings at each of the institutions
54 under their charge, at least as often as once in every three months, and at
55 such times as they may appoint, and called meetings at the request of any
56 one of their number. At each regular meeting at any institution they shall

57 thoroughly inspect such institution in all its workings, giving such direction
58 as they may deem necessary to promote efficiency, economy, and other
59 successful management of the same. Any one of such commissioners may
60 visit any of said institutions at any time when not interfering with a
61 regular meeting.

62 The said commissioners, or any one of them, shall also, at least once in
63 each year, visit and examine into the condition of each of the city and
64 county almshouses, or other place where the insane may be kept, and shall
65 have power to inquire into and examine the condition and management of
66 such institutions and conduct of their offices, the condition of their grounds,
67 buildings, or other property connected therewith, and shall report in writing
68 the results of their examinations, to the legislature in their biennial report.

69 Whenever any charitable or correctional institution shall require assist-
70 ance, pecuniary or otherwise, other than the usual expenses, said commis-
71 sioners shall inquire carefully and fully into the necessity of such request,
72 the purpose or purposes for which it is supposed to use the same, the
73 amount required to accomplish the desired object, and into any other
74 matters connected therewith, and in their biennial report they shall give
75 the result of such inquiries, together with their opinion and conclusions
76 relating to the whole subject.

77 Every person elected as a member of "The Board of State Commissioners of
78 Public Charities," before entering upon the duties of his office, shall take
79 and subscribe the oath prescribed in the twenty-fifth section of article V, of
80 the constitution of the State of Illinois, which oath shall be filed in the
81 office of the Secretary of State.

82 The said board of commissioners, or any of them, are hereby authorized
83 to administer oaths and examine any person or persons in relation to any
84 matters connected with the inquiries authorized by this act.

85 The said commissioners shall be furnished by the Secretary of State with
86 the necessary blanks, blank books, stationery and postage with which to
87 properly fulfill the duties of their office.

88 The said board of commissioners shall, immediately after their qualification
 89 as officers, organize by electing one of their number president, and shall
 90 appoint such person as they may elect as secretary, which organization shall
 91 continue for two years, and immediately after the qualification of the
 92 successor to the out-going member every two years, the board shall be
 93 reorganized.

94 Each of said commissioners, as compensation for their services, shall be
 95 allowed and paid an annual salary of three thousand five hundred dollars
 96 (\$3,500) in lieu of all other salary, fees, perquisites, benefits and emoluments,
 97 or compensation in any way pertaining to said office, which sum shall be
 98 paid out of the State treasury from any money not otherwise appropriated.

99 On or before the first day of November preceding each regular session of
 100 the General Assembly, the commissioners of public charities shall make out
 101 and deliver to the Governor, to be laid by him before the legislature, a full
 102 detailed report of all their transactions and doings for the two years ending
 103 on the thirtieth day of September, immediately preceding such regular ses-
 104 sion of the General Assembly, showing for the two years and each of them,
 105 separately, the number of inmates admitted and discharged since their last
 106 report, in each institution under their charge, the annual attendance, the
 107 receipts, disbursements, and expenditures of moneys and funds, the valua-
 108 tion of property in the hands of the board for each of said several institu-
 109 tions, the amount of each appropriation under their control for the use of
 110 each of the same, and the balance thereof remaining unexpended in their
 111 hands, or in the treasury of the State. The report required by this clause
 112 shall be accompanied with a cash statement made by the treasurer of each
 113 institution, and with such other information, financial, statistical, or other-
 114 wise, in such tabulated form as said commissioners may deem advisable. To
 115 aid said commissioners in making this report, they may require any of the
 116 officers of the several institutions under their charge, to render to the said
 117 board of commissioners such reports, and at such stated times as they may
 118 deem proper.

§ 4. The object of the hospitals of the insane shall be to receive and care for all insane or distracted persons residing in the State of Illinois, who may be committed to their care in accordance with law, and to furnish all medical treatment, seclusion, rest, restraint, attendance, amusement, occupation and support which may tend to restore their health and recover them from insanity, or to alleviate their suffering; but the board of commissioners shall have the power to discharge patients and to refuse additional applications to the hospitals under their care, whenever the insane demand such discharge or refusal, and that in the admission and retention of patients, curable and recent cases shall have the preference over cases of long standing, and that violent, dangerous, and otherwise troublesome cases, shall have the preference over those of an opposite description.

§ 5. The object of the institution for the education for the deaf and dumb, and of the asylum for the feeble-minded, shall be to promote the intellectual, moral and physical culture of classes of persons indicated in their titles, respectively, and to fit them, as far as possible, for earning their own livelihood and for future usefulness in society.

§ 6. The object of the soldiers' orphans' home shall be to provide a home for the nurture and intellectual, moral and physical culture of all indigent children below the age of fourteen years, whose fathers served in the armies of the union of the late rebellion, and have died and been disabled by reason of wounds and disease received therein, or have since died by reason of such wounds. In special cases of peculiar inability of a pupil to support himself or herself, the board of commissioners may retain such pupil, although of the age of fourteen, and until such as reached the age of sixteen, beyond which no pupil shall be retained.

§ 7. The object of the charitable eye and ear infirmary shall be to provide gratuitous board, and medical and surgical treatment for all indigent persons of Illinois who are afflicted with the diseases of the eye and ear.

§ 8. The superintendent of each of the institutions provided for by this act, shall be the executive officer of such institution, and shall be the financial agent of the board of commissioners, and subject to their directions, and

4 shall have charge of the premises, property and inmates of the institution,
5 subject to the direction of said board. He shall, with consent of the board,
6 engage all employees, and assign them to their respective duties, and may at
7 any time discharge them from service. He shall see that all officers, agents,
8 and employees of the institutions faithfully discharge their duties, and shall
9 be directly responsible to the commissioners for the economy, efficiency and
10 success of the internal management of the institution. In all institutions
11 which furnish board to the inmates, the superintendent shall reside therein.

§ 9. The treasurer and superintendent of each institution, before entering
2 upon the duties of their office, shall each give bond, payable to the people
3 of the State of Illinois, in such amount and with sureties, not less than two,
4 and shall be approved by the board of commissioners and by the Governor,
5 with conditions that they shall faithfully perform the duties of their office,
6 which bond shall be filed in the office of the board of commissioners at
7 Springfield.

§ 10. The books and papers of the treasurer shall be open at all times to
2 the inspection of any of the State commissioners of public charities, officers
3 of State, or members of the General Assembly.

§ 11. The treasurer shall receive and be custodian of all moneys due the
2 institution, whether derived from the State treasury or from other sources,
3 and the superintendent, or any other officer into whose hands any money
4 rightfully belonging to the institution may come, shall pay over all such
5 moneys to the treasurer at least once a month. The treasurer shall not pay out
6 any of the funds of the institution except on proper vouchers, namely, on the
7 order of the board of commissioners. The original orders upon which said
8 funds are paid out shall be returned from time to time to the board, to be
9 filed in the office of the same at Springfield, and there permanently pre-
10 served, and the president of the board shall give his receipt, attested by the
11 secretary of the board, to the treasurer for said orders when returned, show-
12 ing in detail their numbers and amounts, which receipts shall be a final
13 clearance of the treasurer from all further responsibility for said money so
14 paid. The treasurer shall keep an itemized account in a substantially bound

15 book, showing, under appropriate heads, all receipts and disbursements, in
 16 detail, with the date when, and the parties from whom or to whom, were re-
 17 ceived or paid, and also the current number of the order of the board upon
 18 which each cash payment is made.

§ 12. At each stated meeting of the board of commissioners at any insti-
 2 tution, the treasurer of such institution shall make a full report of all moneys
 3 received and paid out by him, accompanying the same with a copy of his
 4 itemized account, which account shall be verified by affidavit, and shall make
 5 settlement with the board. The superintendent shall at such meeting present
 6 to the board an itemized statement of the kind, quality and cost of all arti-
 7 cles purchased for the institution during the interval since the last regular
 8 meeting of the board, and a classified summary of expenses incurred, with
 9 which the report of the treasurer shall be compared. The board having ex-
 10 amined said reports and accounts of the superintendent and treasurer, and
 11 the balance in the treasurer's hands, together with the amount of the out-
 12 standing liabilities, if correct, shall endorse their approval thereon, and file the
 13 same, with duplicate vouchers, at the office of the board at Springfield, which
 14 shall be open for inspection at any time by the Governor, and by the members
 15 of the General Assembly. No installment of any appropriation heretofore
 16 made by the General Assembly shall be due and payable to the treasurer of
 17 any institution provided for by this act, until the board of commissioners
 18 shall have certified to the Governor the accuracy of the said statements and
 19 accompanying vouchers, which certificate shall be approved by the Governor,
 20 and delivered to the Auditor of Public Accounts.

§ 13. All appropriations for the ordinary expense of any of said State
 2 institutions shall be due and payable from the State Treasurer of each
 3 institution quarterly in advance, unless otherwise specified in the act making
 4 said appropriations. But no appropriations, ordinary or special, nor any
 5 installment thereof, shall be paid to, or for the benefit, of any institution,
 6 by the Treasurer of State, except upon the warrant of the Auditor of
 7 Public Accounts, nor shall the Auditor draw his warrant therefor except
 8 upon the order of the board of commissioners, signed by the president,

9 attested by the Secretary with the corporate seal of the board and approved
10 by the Governor.

§ 14. No portion of any special appropriation for the erection of any
2 building, or for the doing of any work, or for any other purpose other than
3 ordinary expenses, shall be drawn from the State Treasurer in advance of
4 the work done or materials furnished, and in no case except upon proper
5 estimates thereof, approved by the board of commissioners, which estimates
6 shall be filed in their office; and no appropriation for any of the purposes
7 of the institutions herein named, shall be drawn from the State treasury
8 before it shall be required for the purpose for which it is made, and so
9 certified in the order of the board of commissioners, and no appropriation
10 which is or may be made for one purpose shall be drawn or used for any
11 other purpose; and if at any time hereafter the sum so appropriated by the
12 General Assembly for any specific purpose shall be found insufficient to
13 complete and accomplish the purpose for which said appropriation is made,
14 then no part of said sum so appropriated shall be expended or drawn from
15 the State treasury, nor shall any liability on the part of the State be
16 created on account of said appropriation.

§ 15. All moneys which have been heretofore, or which may be hereafter
2 appropriated to any State institution for any purpose other than ordinary
3 expenses, and which remain in the treasury of the institution, and are not
4 required for the uses for which the same were appropriated, shall be paid
5 into the State treasury immediately on the ascertainment of that fact.

§ 16. No Commissioner of Public Charities, treasurer, superintendent, or
2 other officer, or agent, or employe, appointed by virtue of this act, shall be
3 directly or indirectly interested in any contract or other agreement for
4 building, repairing, furnishing or supplying said institution or any of them.
5 Any violation of this section shall subject the offender, on conviction, to be
6 punished by a fine of not more than double the amount of said contract or
7 agreement, or by imprisonment in the penitentiary for a term not less
8 than one, nor more than three years.

§ 17. The secretary of each institution shall attend all meetings of the board of commissioners held at the institution of which he is secretary, and keep a record thereof, under the direction of the board, and shall, within five days, send a copy of the same to the secretary of the board of commissioners, the same to be filed in the office of the board at Springfield. The secretary of each institution embraced in this act shall also keep a register of the number of employes and inmates present each day in the year, and in such form as to admit of the average number present each month, and shall keep a record of stores and supplies, showing the amount thereof received and issued with the dates and names of the parties from or to whom the same were received and issued, and the superintendent shall furnish him with all information and data that he may obtain to the secretary in regard to the institution.

§ 18. All residents of the State of Illinois who are or may become inmates of any of the State charitable institutions, shall receive their board, tuition, and treatment free of charge during their stay. The residents of other States may be admitted to said institutions upon the payment of the just costs of said board and treatment; but no resident of another State shall be received or retained, to the exclusion of any resident of the State of Illinois. If any inmate shall be unwilling to accept gratuitous board, treatment, or tuition, then the superintendent of the institution is hereby authorized to receive pay therefor, and is required to account for the same in an itemized monthly or quarterly statement to the board of commissioners, as donations duly credited to the person or persons from whom they were received, and if any superintendent shall receive any moneys for the purpose of furnishing extra attention and comforts to any inmates of the institution under his charge, he shall account for the same, and for the expenditure, in like manner to the board.

§ 19. In all cases where persons sent to the institution for the deaf and dumb, or the institution for the feeble-minded children, are too poor to furnish themselves with sufficient clothing and pay the expenses of transportation to and from the institution, the judge of the county court of the

5 county where any such person resides, upon the application of any relative
 6 or friend of such person, or of any officer of his town or county, (ten days
 7 notice of which shall be given to the county clerk) may, if he shall deem
 8 such person a proper subject for the care of either of said institutions, and
 9 pecuniarily unable to defray the expenses stated above, make order to that
 10 effect, which shall be certified by the clerk of the court to the superintend-
 11 ent of such institutions, who shall provide the necessary clothing and trans-
 12 portation at the expense of the county, and upon his rendering his proper
 13 accounts therefor, semi-annually, the county board shall allow and pay the
 14 same out of the county treasury.

§ 20. The number of the copies of the reports of the institutions embraced
 2 in this act, now or hereafter prescribed by law, shall be printed and pub-
 3 lished under the supervision of the board of commissioners, and who shall
 4 have said reports printed, bound and ready for distribution to the members
 5 of the General Assembly within ten days after the meeting thereof.

§ 21. It shall be the duty of the board of commissioners to furnish the
 2 General Assembly with a full itemized list of all the estimates in detail,
 3 and properly classified, of the official salaries, wages of employees, the num-
 4 ber of all persons under pay properly classified, and supplies of every
 5 character and kind supposed to be needed for the coming two years, and
 6 upon which is based the general estimate of the appropriations asked for to
 7 defray the expenses of each of the institutions under their charge. That
 8 they be required to furnish such lists in a cheaply printed pamphlet and
 9 convenient for reference, to be distributed among the members of the Gen-
 10 eral Assembly by the 10th day of the session that each member may arrive
 11 at the best possible idea of the necessary and proper amounts of money that
 12 should be appropriated for each institution.

§ 22. It shall be the duty of the Superintendent of Public Instruction to
 2 visit such of the State institutions as are educational in their character,
 3 and to examine their facilities for instruction, and the several superintendents
 4 of these institutions shall make to him reports on educational matters relat-
 5 ing to their institution at such time and in such form as he may prescribe.

§ 28. The Board of State Commissioners of Public Charities, created by an
2 act approved April 9, 1869, and the several boards of trustees created by an
3 act approved April 15, are hereby recognized and continued, and all the pro-
4 visions of said acts shall remain in full force and effect until the members
5 of the Board of State Commissioners of Public Charities, provided for by this
6 act, shall be elected and qualified, at which time the terms of all officers
7 created by said acts shall expire, and said acts shall then and there and ever
8 after be repealed and of no force and effect, and all acts and parts of acts
9 wherever and whenever inconsistent with this act, are hereby repealed.

1. Introduced by Mr. Whiting, January 11, 1883, and ordered to first reading.
2. First reading January 11, 1883, and referred to Committee on Revenue.
3. Reported back March 16, 1883, with recommendation that it be printed and placed on file for a second reading. Report concurred in.

A BILL

For An Act to tax mortgages or other liens upon real estate, and to relieve encumbered property from double taxation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a mortgage, deed of trust, or other contract or obligation by which a debt is secured by a lien upon real estate, the amount of which is fixed and certain and has been duly recorded, shall for the purposes of assessment and taxation, be deemed and treated as an interest in the property thereby affected, and the holders of these securities, joint owners, to be assessed and the taxes to be paid in the district where the real property is located, and the holders of such securities or liens shall not elsewhere be assessed and taxed, except as hereinafter mentioned. The mortgagor or owner of the fee shall be assessed only for the value of said real estate after deducting the mortgagee's interests, or other lien as may be.

§ 2. The owner of the fee of any real estate claiming any deduction for such incumbrance, shall state to the assessor, under oath, the nature and amount of the incumbrance, and to whom the same is due. The assessor shall assess the owner of the fee or mortgagor, and owner or owners of the mortgage or other lien separately and in ratable proportion as near as may be to the value of the interest of each by deducting from the full cash

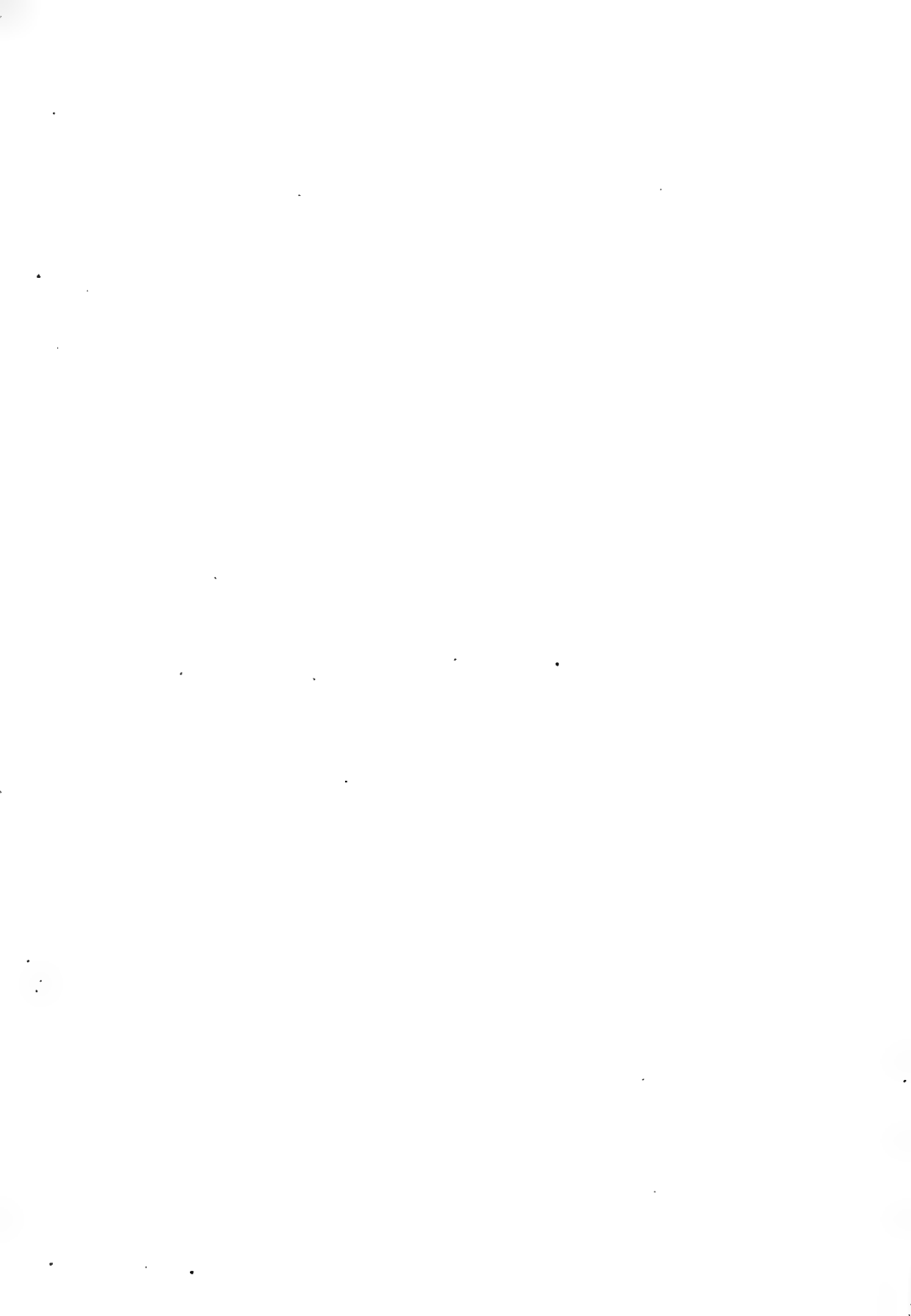
7 value of the fee, the full cash value of the mortgage or other lien, assessing
 8 the owner of the fee on the excess, and the owner or owners of the lien
 9 upon the value of the lien; but in assessing these amounts the same scale
 10 of assessment, or rate per cent. of the true value, shall be observed as may
 11 be applied in assessing other property, so that each shall pay his pro rata
 12 share, and the aggregate be the same as if the property had been assessed
 13 to one owner; but the mortgagee's interest, or other lien, shall not be
 14 assessed on an amount greater than the whole value of the land and
 15 appurtenances.

§ 3. All taxes assessed as herein provided, shall constitute a lien upon
 2 the land and the appurtenances thereto, and the provisions of law relating to
 3 equalization of assessments, and the collection of taxes upon real estate, shall
 4 apply to these.

§ 4. If any part of the taxes duly assessed upon real estate under the
 2 provisions of this act, remain unpaid until the advertising of lands for de-
 3 linquent taxes, either party may pay the same, one for the other, and if paid
 4 by any mortgagee, the mortgagee so paying for the owner of the fee or
 5 mortgager, may take from the collector of taxes a certificate to be recorded
 6 in the recorder's office, and such sum so paid for taxes other than those
 7 assessed to himself, with costs and interest shall be added to and constitute
 8 a part of the principal sum of the mortgage; and in such case the record-
 9 ing of such certificate as herein provided within thirty days from its date
 10 shall be notice to all persons of the payment of such sums, and the lien
 11 upon the estate therefrom. When the taxes so assessed to any mortgagee
 12 have been paid by the mortgager, or those claiming under him to the col-
 13 lector as herein provided, he shall have the right to deduct the sum so paid,
 14 with the costs and with interest at the same rate per cent. as named in the
 15 mortgage, from the amount due the mortgagee to whom said taxes were
 16 assessed; provided that taxes arising from special assessment for local im-
 17 provement shall be assessed wholly against the owner of the fee; and pro-
 18 vided, further, that if any such lien shall be paid by the debtor after the
 19 assessment of taxes, or the day named for their assessment, and before the

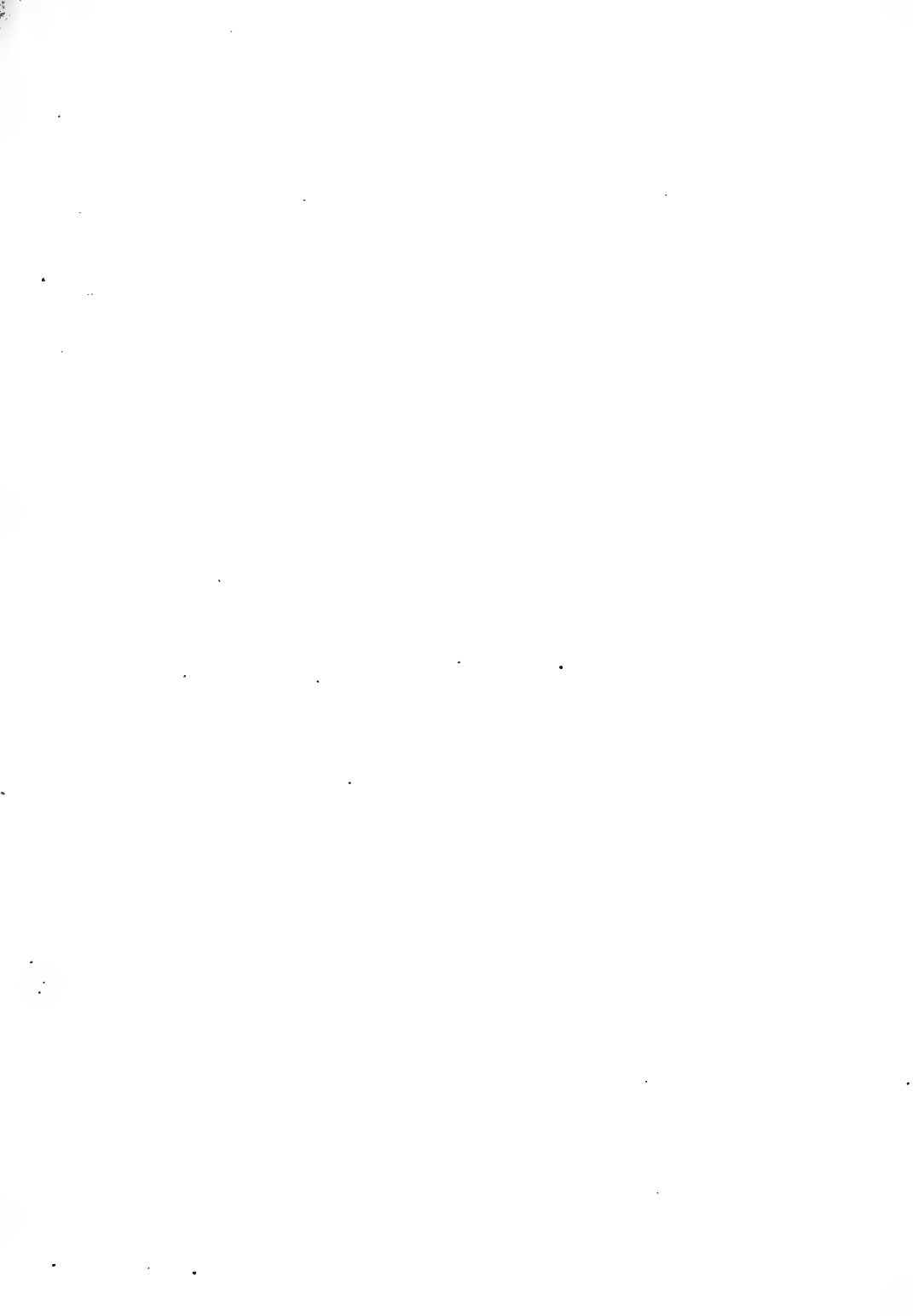
20 tax levy for that year, the amount for such levy may likewise be retained
 21 by such debtor, and this shall be computed according to the taxes on the
 22 same the preceding year.

§ 5. Mortgages or other liens assessed as real estate, as herein provided,
 2 shall be exempt from taxation as personal property so far as they may be
 3 assessed as real estate; but any excess above such amount shall be taxed as
 4 now provided by law.



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2 shall be exempt from taxation as personal property so far as they may be
3 assessed as real estate; but any excess above such amount shall be taxed as
4 now provided by law.



1. Introduced by Mr. Whiting, January 11, 1883, and ordered to first reading.
2. First reading January 11, 1883, and referred to Committee on Revenue.
3. Reported back March 16, 1883, passage recommended and ordered to second reading.
4. Second reading April 17 and May 3, 1883, amended and ordered to third reading.

A BILL

For An Act to tax mortgages or other liens upon real estate, and to relieve encumbered property from double taxation.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That a mortgage, deed of trust, or other contract or
3 obligation by which a debt is secured by a lien upon real estate, the amount
4 of which is fixed and certain and has been duly recorded, shall for the
5 purposes of assessment and taxation, be deemed and treated as an interest
6 in the property thereby affected, and the holders of these securities, joint
7 owners, to be assessed and the taxes to be paid in the district where the real
8 property is located, and the holders of such securities or liens shall not
9 elsewhere be assessed and taxed, except as hereinafter mentioned. The
10 mortgagor or owner of the fee shall be assessed only for the value of said
11 real estate after deducting the mortgagee's interests, or other liens as may be.

§ 2. The owner of the fee of any real estate claiming any deduction for
2 such incumbrance, shall state to the assessor, under oath, the nature and
3 amount of the incumbrance, and to whom the same is due. The owner of
4 the mortgage or other lien shall also file with the recorder of deeds, on or
5 before the first day of May, in each year, a statement, under oath, of all his
6 estate liable for taxation hereunder, including the full amount remaining
7 unpaid upon said mortgage or other lien, but if no such statement shall be
8 filed as herein provided, the amount stated in the mortgage or other lien

9 shall be conclusive as to the amount of such interest, except as it may be
 10 lessened by the aforesaid oath of the mortgagor. The statement filed with
 11 the recorder, if made, and if not made, the amount on record as modified by
 12 the oath of the mortgagor shall be taken as the amount on which to base
 13 the assessment. The assessor shall assess the owner of the fee or mortgagor,
 14 and owner or owners of the mortgage or other lien, separately and in ratable
 15 proportions as near as may be to the value of the interest of each, by
 16 deducting from the full cash value of the fee, the full cash value of the
 17 mortgage or other lien, assessing the owner of the fee on the excess, and the
 18 owner or owners of the lien upon the value of the lien; but in assessing
 19 these amounts the same scale of assessment, or rate per cent. of the true
 20 value, shall be observed as may be applied in assessing other property, so
 21 that each shall pay his pro rata share, and the aggregate be the same as if
 22 the property had been assessed to one owner; but the mortgagee's interest,
 23 or other lien, shall not be assessed on an amount greater than the whole
 24 value of the land and appurtenances.

§ 3. All taxes assessed as herein provided, shall constitute a lien upon the
 2 land and the appurtenances thereto, and the provisions of law relating to
 3 equalization of assessments, and the collection of taxes upon real estate, shall
 4 apply to these. And all taxes on real estate as herein provided that are
 5 invalid for any irregularity may be re-assessed, and no alienation of such real
 6 estate shall defeat such re-assessment, if made within two years after the tax
 7 first assessed was committed to the collector, and no tax for the then current
 8 year on real estate shall be invalidated for the reason that a mortgagee's
 9 interest therein was not properly assessed or failure to be assessed.

§ 4. If any part of the taxes duly assessed upon real estate under the
 2 provisions of this act, remain unpaid until the advertising of lands for
 3 delinquent taxes, either party may pay the same, one for the other, and if paid
 4 by any mortgagee, the mortgagee so paying for the owner of the fee or
 5 mortgagor, may take from the collector of taxes a certificate to be recorded
 6 in the recorder's office, and such sum so paid for taxes other than those
 7 assessed to himself, with costs and interest, shall be added to and constitute

8 a part of the principal sum of the mortgage; and in such case the recording
9 of such certificate as herein provided within thirty days from its date shall
10 be notice to all persons of the payment of such sums, and the lien upon the
11 estate therefrom. When the taxes so assessed to any mortgagee have been
12 paid by the mortgagor, or those claiming under him to the collector as
13 herein provided, he shall have the right to deduct the sum so paid, with the
14 costs and with interest at the same rate per cent. as named in the mortgage,
15 from the amount due the mortgagee to whom said taxes were assessed:
16 *Provided*, that taxes arising from special assessment for local improvement
17 shall be assessed wholly against the owner of the fee: *And, provided, further*,
18 that if any such lien shall be paid by the debtor after the assessment of
19 taxes, or the day named for their assessment, and before the tax levy for that
20 year, the amount for such levy may likewise be retained by such debtor, and
21 this shall be computed according to the taxes on the same the preceding
22 year: *Provided*, that any person whose tax shall have been so paid by
23 another, shall have the same rights in regard to recovering back taxes
24 illegally assessed that he would have had if the tax had been paid under a
25 protest by him in writing.

§ 5. Mortgages or other liens assessed as real estate, as herein provided
2 shall be exempt from taxation as personal property so far as they may be
3 assessed as real estate; but any excess above such amount shall be taxed as
4 now provided by law. Loans on mortgages of real estate or other liens as
5 herein named, shall not be included for the purpose of taxation in debts due
6 to or from persons to be taxed.

AMENDMENTS OFFERED TO SENATE BILL NO. 12.

1. Amend section 2, by inserting in line 3, of printed bill, after the word "due," the following: "The owner of the mortgage or other lien shall also file with the recorder of deeds on or before the first day of May, in each year, a statement, under oath, of all his estate liable for taxation hereunder, including the full amount remaining unpaid upon said mortgage or other lien, but if no such statement shall be filed as herein provided, the amount stated in the mortgage or other lien shall be conclusive as to the amount of such interest, except as it may be lessened by the aforesaid oath of the mortgagor. The statement filed with the recorder if made, and if not made, the amount on record as modified by the oath of the mortgagor, shall be taken as the amount on which to base the assessment."
2. Amend by adding to section 3, the following: "And all taxes on real estate as herein provided that are invalid for any irregularity may be reassessed, and no alienation of such real estate shall defeat such reassessment, if made within two years after the tax first assessed was committed to the collector, and no tax for the then current year on real estate shall be invalidated for the reason that a mortgagee's interest therein was not properly assessed or failure to be assessed."
3. Amend by adding to section 4, as follows: "Provided, that any person whose tax shall have been so paid by another, shall have the same rights in regard to recovering back taxes illegally assessed that he would have had if the tax had been paid under a protest by him in writing."
4. Amend by adding at end of section 5, as follows: "Loans on mortgages of real estate or other liens as herein named, shall not be included for the purpose of taxation in debts due to, or from persons to be taxed."



1. Introduced by Mr. Ray, January 11, 1883, and ordered to first reading.
2. First reading January 11, 1883, and referred to Committee on Canals and Rivers.
3. Reported back and referred to Committee on Appropriations.
4. Reported back February 8, 1883, passage recommended and ordered to be printed.

A BILL

For An Act making appropriations for the necessary repairs and running expenses of the Illinois and Michigan canal until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly, That, for the purpose of making necessary repairs and providing means to put and keep the Illinois and Michigan canal in navigable condition, until after the adjournment of the next General Assembly, there is hereby appropriated from the State treasury, for the first year, the sum of thirty thousand dollars (\$30,000), and for the second year the sum of thirty thousand dollars (\$30,000), or so much of each as may be absolutely necessary for that purpose: *Provided*, that no portion of the money hereby appropriated shall be used for the purpose above specified until all the surplus earnings of the canal have been fully exhausted in making needed repairs and defraying necessary expenses of operating the said canal.

The appropriations made by this act shall only be paid upon detailed statements made by the canal commissioners, filed with the auditor, bearing the order of the canal commissioners and the approval of the Governor.

Said board of canal commissioners shall keep an accurate and detailed account of all moneys received by them from every source, together with their disbursements and expenditures of every kind and nature, and

4 at the end of each quarter transmit to the auditor of public accounts a full
5 and complete statement, showing in detail the amount of money received
6 during said preceding quarter, from every source, and how and to whom
7 the same has been disbursed.

1. Reported to House March 6, 1883.
2. First reading March 10, 1883, and referred to Committee on Canal and River Improvement.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 17, 1883.

A BILL

For An Act making appropriations for the necessary repairs and running expenses of the Illinois and Michigan canal, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly, That for the purpose of making necessary repairs, and*
3 *providing means to put and keep the Illinois and Michigan canal in navi-*
4 *gable condition, until after the adjournment of the next General Assembly,*
5 *there is hereby appropriated from the State Treasury, for the first year, the*
6 *sum of thirty thousand dollars (\$30,000), and for the second year the sum of*
7 *thirty thousand dollars (\$30,000), or so much of each as may be absolutely*
8 *necessary for that purpose: Provided, that no portion of the money hereby*
9 *appropriated shall be used for the purpose above specified, until all the sur-*
10 *plus earnings of the canal have been fully exhausted, in making needed re-*
11 *pairs and defraying necessary expenses of operating the said canal.*

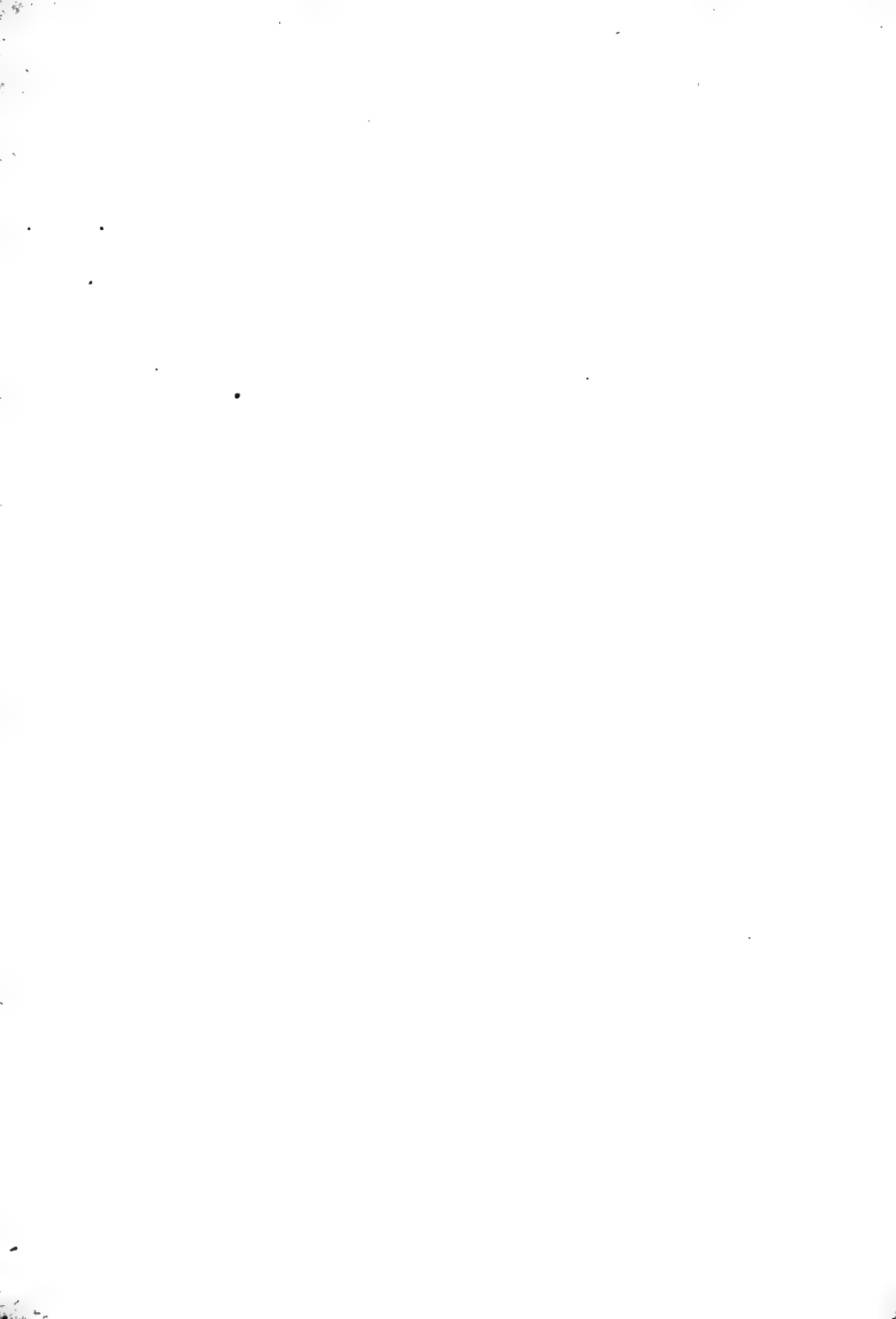
§ 2. The appropriations made by this act shall only be paid upon detailed
2 statements made by the canal commissioners, filed with the Auditor, bearing
3 the order of the canal commissioners and the approval of the Governor.

§ 3. Said board of canal commissioners shall keep an accurate and de-
2 tailed account of all moneys received by them from every source, together
3 with their disbursements and expenditures of every kind and nature, and at

4 the end of each quarter transmit to the Auditor of Public Accounts a full
5 and complete statement, showing in detail the amount of money received
6 during said preceding quarter, from every source, and how and to whom the
7 same has been disbursed.

HOUSE AMENDMENT TO SENATE BILL NO. 13.

Amend by striking out the words and figures "thirty (30)," and inserting
2 "twenty," in lieu thereof, in lines 6 and 7.



1. Introduced by Mr. Bell, January 11, 1883, and ordered to first reading.
2. First reading, January 12, 1883, and referred to Committee on County and Township Organization.
3. Reported back February 15, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections two (2),-three (3) and four (4) of an act entitled
"An act to revise the law in relation to permitting animals to run at large,"
approved March 30, 1874, in force July 1, 1874.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the*

1 *General Assembly, That sections two (2), three (3) and four (4) of an act entitled*

2 *"An act to revise the law in relation to permitting animals to run at large,"*

3 *approved March 30, 1874, in force July 1, 1874, be amended so as to read as*

4 *follows:*

5 *"Section 2. On the petition of one hundred or more legal voters of the*

6 *county, residing outside of the limits of any incorporated city, being filed*

7 *with the county clerk before the time of giving notice of the general election*

8 *in November in any year, in counties not under township organization, or in*

9 *counties under township organization, before the time of giving notice of the*

10 *general election for town officers in April, in any year, the county clerk*

11 *shall cause notice to be given, that at such election a vote may be taken (in)*

12 *for and against domestic animals, or any species thereof, to be mentioned in*

13 *such notice, being allowed to run at large in such county; such notice shall con-*

14 *form to the prayer of the petition, and if several petitions are filed requiring*

15 *different questions to be submitted at the same election, the notice shall*

16 *conform thereto.*

18 "Section 3. If the petition be for domestic animals running at large, then
 19 the ballot shall be, "For domestic animals running at large," and "Against
 20 domestic animals running at large." If the petition be for any one or more
 21 species of domestic animals running at large, then the ballots shall be, "For
 22 (naming the animals as in petition) running at large," and
 23 "Against (naming the animals as in the petition) running at large."
 24 If several petitions are filed requiring the submission of different questions
 25 at the same election, all the questions shall be voted upon on the same
 26 ballot, and the ballots shall be worded accordingly. The ballots cast in pur-
 27 suance of this act, shall be deposited in a separate ballot box, to be provided
 28 for that purpose, and canvassed and returns thereof made as in other cases
 29 of election: *Provided*, that persons residing in incorporated cities shall not
 30 vote at such elections, but incorporated cities may make such regulations as
 31 to animals running at large within the limits of such cities, as is now pro-
 32 vided by law, or by their charters.

33 "Section 4. If a majority of all the votes cast in said county (outside of
 34 the limits of incorporated cities), at such election, shall be for domestic ani-
 35 mals, or any species thereof, running at large, it shall be lawful in such
 36 county for domestic animals of such species thereof to run at large: *Provided*,
 37 that if, at any such election, the vote in any precinct in counties not under
 38 township organization, or any town in counties under township organization,
 39 or any incorporated village, or town, in any county, shall be against domes-
 40 tic animals, or any species thereof, running at large, it shall not be lawful
 41 for such animals to run at large in such precinct, or town, or incorporated
 42 village or town."

AMENDMENTS TO SENATE BILL NO. 14, ADOPTED BY THE COMMITTEE ON COUNTY AND TOWNSHIP ORGANIZATION.

1. Amend by inserting in line 17, of section 2, after the word "in," the words "such county or township."

1. Introduced by Mr. Bell, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on County and Township Organization.
3. Reported back February 15, 1883, with amendment, passage recommended, and ordered to second reading.
4. Second reading March 6, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend sections two (2), three (3) and four (4), of an act entitled
"An act to revise the law in relation to permitting animals to run at large,"
approved March 30, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That sections two (2), three (3) and four (4), of an act
3 entitled "An act to revise the law in relation to permitting animals to run
4 at large," approved March 30, 1874, in force July 1, 1874, be amended so as
5 to read as follows:
6 "Section 2. On the petition of one hundred or more legal voters of the
7 county, residing outside of the limits of any incorporated city, being filed
8 with the county clerk, before the time of giving notice of the general elec-
9 tion in November, in any year, in counties not under township organization,
10 or in counties under township organization, before the time of giving notice
11 of the general election for town officers in April, in any year, the county
12 clerk shall cause notice to be given, that at such election a vote may be
13 taken in such county or township, for and against domestic animals, or any
14 species thereof, to be mentioned in such notice, being allowed to run at
15 large in such county; such notice shall conform to the prayer of the peti-
16 tion, and if several petitions are filed requiring different questions to be
17 submitted at the same election, the notice shall conform thereto.

18 "Section 3. If the petition be for domestic animals running at large, then
 19 the ballots shall be, "For domestic animals running at large," and "Against
 20 domestic animals running at large." If the petition be for any one or more
 21 species of domestic animals running at large, then the ballots shall be, "For
 22 (naming the animals as in petition) running at large," and
 23 "Against..... (naming the animals as in the petition) running at large."
 24 If several petitions are filed requiring the submission of different questions
 25 at the same election, all the questions shall be voted upon on the same
 26 ballot, and the ballots shall be worded accordingly. The ballots cast in pur-
 27 suance of this act, shall be deposited in a separate ballot box, to be provided
 28 for that purpose, and canvassed and returns thereof made as in other cases
 29 of election: *Provided*, that persons residing in incorporated cities shall not
 30 vote at such elections, but incorporated cities may make such regulations as
 31 to animals running at large within the limits of such cities, as is now pro-
 32 vided by law, or by their charters.

33 "Section 4. If a majority of all the votes cast in said county (outside of
 34 the limits of incorporated cities), at such election, shall be for domestic ani-
 35 mals, or any species thereof, running at large, it shall be lawful in such
 36 county for domestic animals of such species thereof to run at large: *Provided*,
 37 that if, at any such election, the vote in any precinct in counties not under
 38 township organization, or any town in counties under township organization,
 39 or any incorporated village, or town, in any county, shall be against domes-
 40 tic animals, or any species thereof, running at large, it shall not be lawful
 41 for such animals to run at large in such precinct, or town, or incorporated
 42 village or town."

1. Introduced by Mr. Fifer, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Judiciary.
3. Reported back February 2, 1883, with an amendment. Passage recommended and ordered to second reading.

A BILL

For An Act to amend section 120 of an act entitled "An Act to extend the jurisdiction of county courts, to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

- 2 *General Assembly*, That section one hundred and twenty (120) of an act entitled "An Act
3 to extend the jurisdiction of county courts, to provide for the practice thereof, to fix the
4 time for holding the same, and to repeal an act therein named, be and the same is hereby
5 amended so as to read as follows:
- 6 "Section 120. When the grand jury of the circuit court shall indict for offenses cogniz-
7 able in the county court, such indictments may, in the discretion of said circuit court, be
8 certified under the seal thereof to the county court for process and trial, which process shall
9 be the same as like process in the circuit court, and the said county court in term time, or
10 the judge thereof in vacation, shall fix the amount of bail to be required of the accused, and
11 shall forthwith, on the receipt of such certified indictment, order a *capias* in each case,
12 which *capias* the clerk shall issue, either in term time or vacation, endorsing upon the same
13 the amount of bail required by the court or judge of each defendant. When such *capias* is
14 executed in term time, the sheriff shall bring the defendant into court forthwith, and when the
15 *capias* is executed in vacation the sheriff shall take bond, in the amount named on the *capias*
16 conditioned for the appearance of the defendant at the next term of the county court, and
17 in default of such bond shall commit the defendant to jail, there to await trial. The judge
18 of the county court shall have power to receive a *plea* of guilty to an indictment and to pass

19 judgment thereon, as well in vacation as in term time; and the said county court, or the
20 judge thereof in vacation, shall have like power to order the clerk to issue *capias* on infer-
1 mations filed, as is by this section given in cases of certified indictments."

AMENDMENT

To Senate Bill No. 15. Proposed by the Judiciary Committee.

Strike out the words "*for the appearance of the defendant at the next term of the*
2 *county court,*" in the tenth, eleventh and twelfth lines of the bill, on page two, and insert
3 in lieu thereof the words "*for his appearance in county court as the law directs in cases*
4 *of recognisances in the circuit court.*"

1. Introduced by Mr. Fifer, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Judiciary.
3. Reported back February 2, 1883, with an amendment, passage recommended and ordered to second reading.
4. Second reading February 13, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 120 of an act entitled "An Act to extend the jurisdiction of county courts, to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

General Assembly, That section one hundred and twenty (120) of an act entitled "An Act to extend the jurisdiction of county courts, to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named, be and the same is hereby amended so as to read as follows:

*"Section 120. When the grand jury of the circuit court shall indict for offenses cognizable in the county court, such indictments may, in the discretion of said circuit court, be certified under the seal thereof to the county court for process and trial, which process shall be the same as like process in the circuit court; and the said county court in term time, or the judge thereof in vacation, shall fix the amount of bail to be required of the accused, and shall forthwith, on the receipt of such certified indictment, order a *capias* in each case, which *capias* the clerk shall issue, either in term time or vacation, endorsing upon the same the amount of bail required by the court or judge of each defendant. When such *capias* is executed in term time, and the court being in session, the sheriff shall bring the defendant into court forthwith; but if the court shall have temporarily adjourned, the sheriff shall, if sufficient bail be offered, take bond in the amount named in the *capias*, conditioned for his appearance in said court on the day and hour to which it stands adjourned, and when the *capias* is executed in vacation, the sheriff shall, in like manner, take bond conditioned for*

19 his appearance in county court, as the law directs, in cases of recognizances in the circuit
20 court; and, in default of such bond shall commit the defendant to jail, there to await trial.
21 The judge of the county court shall have power to receive a plea of guilty to an indictment
22 and to pass judgment thereon, as well in vacation as in term time; and the said county
23 court, or the judge thereof in vacation, shall have like power to order the clerk to issue
24 *capias* on informations filed, as is by this section given in cases of certified indictments:
25 *Provided*, such indictments may be certified to said county court, as above provided, at any
26 time before trial, and in case of *capias* issued, arrest made, or bail taken, in the circuit court
27 before such indictments are so certified, such facts shall, in like manner, be certified to said
28 county court, and the same proceedings shall thereafter be had thereon in the county court
29 in all respects as could be had in said circuit court, or as if *capias* were issued, arrest made,
30 or bail taken as above provided."

1. Reported from House, February 23, 1883.
2. First reading March 10, 1883, and referred to Committee on Judiciary.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 30, 1883.

A BILL

For An Act to amend section 120, of an act entitled "An Act to extend the jurisdiction of county courts, to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That section one hundred and twenty (120), of an act entitled "An Act
3 to extend the jurisdiction of county courts, to provide for the practice thereof, to fix the
4 time for holding the same, and to repeal an act therein named, be and the same is hereby
5 amended, so as to read as follows:

6 "SECTION 120. When the grand jury of the circuit court shall indict for offenses cogniz
7 able in the county court, such indictments may, in the discretion of said circuit court, be
8 certified under the seal thereof to the county court for process and trial, which process shall
9 be the same as like process in the circuit court; and the said county court in term time, or
10 the judge thereof in vacation, shall fix the amount of bail to be required of the accused, and
11 shall forthwith, on the receipt of such certified indictment, order a *capias* in each case,
12 which *capias* the clerk shall issue, either in term time or vacation, endorsing upon the same
13 the amount of bail required by the court or judge of each defendant. When such *capias* is
14 executed in term time, and the court being in session, the sheriff shall bring the defendant
15 into court forthwith; but if the court shall have temporarily adjourned, the sheriff shall, if
16 sufficient bail be offered, take bond in the amount named in the *capias*, conditioned for his
17 appearance in said court on the day and hour to which it stands adjourned, and when the
18 *capias* is executed in vacation, the sheriff shall, in like manner, take bond conditioned for

19 his appearance in county court, as the law directs, in cases of recognizances in the circuit
20 court; and, in default of such bond shall commit the defendant to jail, there to await trial.
21 The judge of the county court shall have power to receive a plea of guilty to an indictment
22 and to pass judgment thereon, as well in vacation as in term time; and the said county
23 court, or the judge thereof in vacation, shall have like power to order the clerk to issue
24 *capias* on informations filed, as is by this section given in cases of certified indictments:
25 *Provided*, such indictments may be certified to said county court, as above provided, at any
26 time before trial, and in case of *capias* issued, arrest made, or bail taken, in the circuit court
27 before such indictments are so certified, such facts shall, in like manner, be certified to said
28 county court, and the same proceedings shall thereafter be had thereon in the county court
29 in all respects as could be had in said circuit court, or as if *capias* were issued, arrest made,
30 or bail taken as above provided."

1. Introduced by Mr. Fifer, January 11, 1883, and ordered to first reading.
2. First reading, January 12, 1883, and referred to Committee on Judiciary.
3. Reported back February 2, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the granting of continuances in criminal cases.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That when affidavit is made for a continuance in behalf of any defend-
3 ant in a criminal case, on the ground of the absence of a material witness, the State's Attor-
4 ney shall not be required to admit the absolute truth of the matter set up in the affidavit for
5 continuance, but only that such absent witness, if present, would testify as alleged in the
6 affidavit; and if he so admits, no continuance shall be granted, but the case shall go to trial,
7 and the State's Attorney shall be permitted to controvert the statements contained in such
8 affidavit by other evidence, or to impeach such absent witness the same as if he had testified
9 in person: *Provided,* that the court may in its discretion require the State's Attorney to
10 admit the truth absolutely of any such affidavit when, from the nature of the case, he may
11 be of opinion that the ends of justice require it.

1. Introduced by Mr. Fifer, January 11, 1883, and ordered to first reading.
2. First reading, January 12, 1883, and referred to Committee on Judiciary.
3. Reported back February 2, 1883, passage recommended, and ordered to second reading.
4. Second reading February 15, 1883, amended and ordered to third reading.

A BILL

For An Act to regulate the granting of continuances in criminal cases.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That when affidavit is made for a continuance in behalf of the people
3 or any defendant in a criminal case, on the ground of the absence of a material witness, the
4 State's Attorney or the defendant, as the case may be, shall not be required to admit the
5 absolute truth of the matter set up in the affidavit for continuance, but only that such
6 absent witness, if present, would testify as alleged in the affidavit; and if it is so admitted
7 no continuance shall be granted, but the case shall go to trial, and the party admitting the
8 same shall be permitted to controvert the statements contained in such affidavit by other
9 evidence, or to impeach such absent witness the same as if he had testified in person: *Pro-*
10 *vided,* that the court may in its discretion require the opposite party to admit the truth
11 absolutely of any such affidavit when, from the nature of the case, he may be of opinion that
12 the ends of justice require it: *Provided, further,* that this act shall not apply to applica-
13 tions for continuances at the same term of the court at which the indictment is found or
14 information filed.

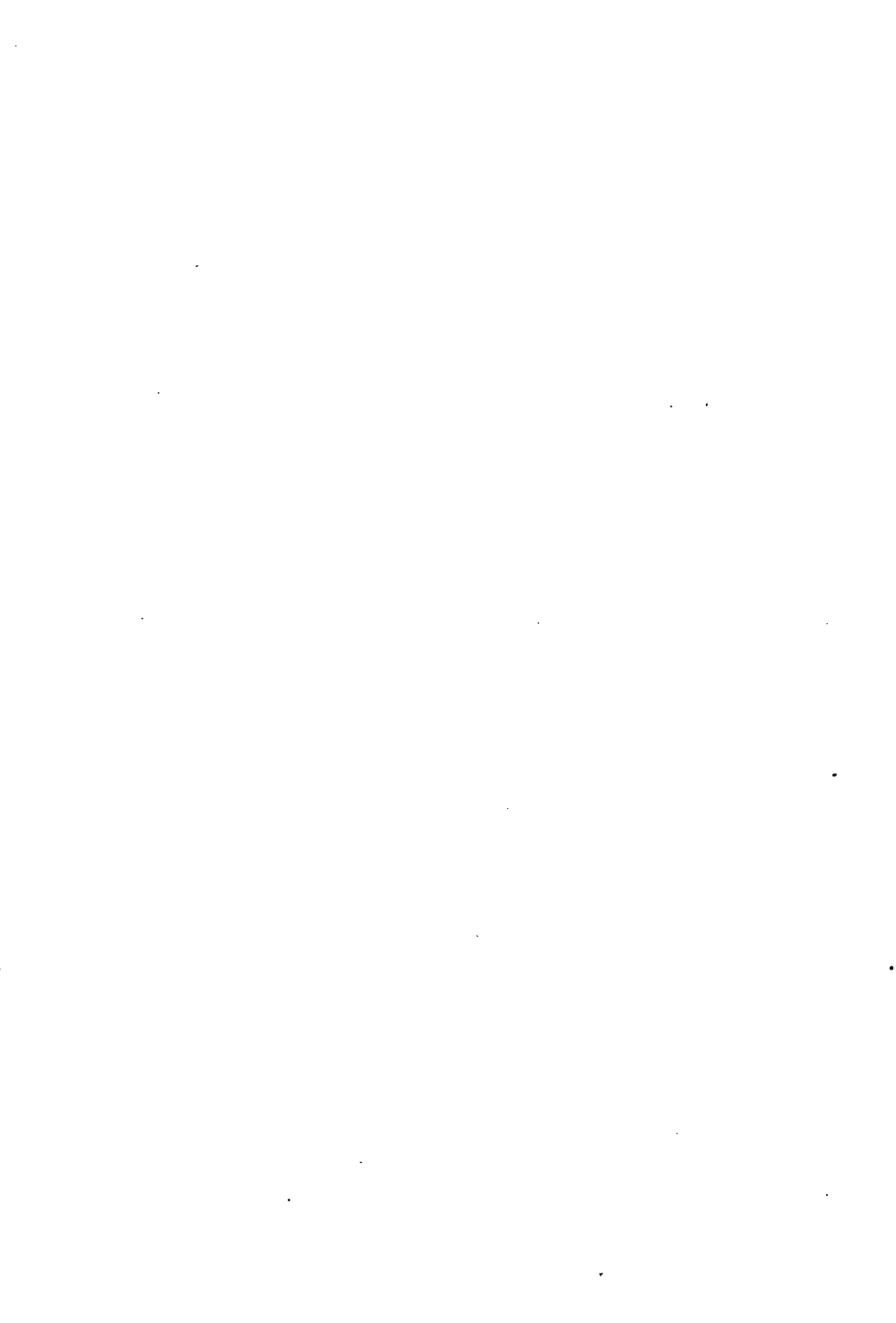


1. Reported to House February 27, 1883.
2. First reading March 10, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.

A BILL

For An Act to regulate the granting of continuances in criminal cases.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That when affidavit is made for a continuance in behalf of the people
3 or any defendant in a criminal case, on the ground of the absence of a material witness, the
4 State's Attorney or the defendant, as the case may be, shall not be required to admit the
5 absolute truth of the matter set up in the affidavit for continuance, but only that such
6 absent witness, if present, would testify as alleged in the affidavit; and if it is so admitted
7 no continuance shall be granted, but the case shall go to trial, and the party admitting the
8 same shall be permitted to controvert the statements contained in such affidavit by other
9 evidence, or to impeach such absent witness the same as if he had testified in person: *Pro-*
10 *vided,* that the court may in its discretion require the opposite party to admit the truth
11 absolutely of any such affidavit when, from the nature of the case, he may be of opinion that
12 the ends of justice require it: *Provided, further,* that this act shall not apply to applica-
13 tions for continuances at the same term of the court at which the indictment is found or
14 information filed.



1. Introduced by Mr. Archer, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Judiciary.
3. Reported back February 9, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 23 of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General*

Assembly, That section twenty-three of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 23. Copies of the books and entries of the sale of all lands or lots heretofore or that hereafter may be sold by this State or any of the officers thereof, under any law of this State, certified to be true and correct copies of such books and entries by the proper person or officer in whose custody said books and entries may properly be, shall be prima facie evidence of all the facts stated in said books and entries. The certificate of such officer of the purchase of or issuing of a patent for any tract of land sold by this State, or any agent of the same, shall be deemed and taken as evidence of title in the party certified to have made such purchase or obtained such patent, his heir or assigns, unless a better and paramount title is exhibited for the same. The patent for land shall be deemed a better and paramount title in the patentee, his heirs and assigns, than such certificate; and where any swamp and overflowed lands and lots heretofore have been, or hereafter may be sold under any law of this State, by any proper person or officer of the county, copies of the books and entries of the sales of such swamp and overflowed lands and lots, certified to be true and correct copies of such books and entries, by the proper person or officer in whose custody such books and entries may properly be, shall be prima facie evidence of the facts stated in such books and entries. The certificate of such officer of the sale or entry of any tract or tracts of such swamp and overflowed land or lots, and of the execu-

tion of a deed for the same, giving the date of such sale or entry, the date of the execution of the deed, the name of the purchaser, and description of the land, under the seal of his office, may, if the original deed be lost, or it be out of the power of the party wishing to use the same to produce it in evidence, and such original deed has never been recorded, be read in evidence in place of said original deed, and shall be prima facie evidence of the execution and delivery of a proper deed for such land, and shall be deemed and taken as evidence of title in the person certified to have made such entry or purchase, his heirs and assigns, until a better and paramount title is exhibited for the same. And whenever it shall appear that the original deed made upon any entry or sale of such swamp and overflowed lands is lost or not in the power of the party wishing to use the same, and the same has never been recorded, as aforesaid, and that the books and original entries of sales of such swamp and overflowed lands have also been lost or destroyed, and the clerk of the county court, or other proper officer, shall have made return of such sales and entries to the Auditor of Public Accounts, according to law, a certified copy of such return by the Auditor, under his seal of office, may be used in evidence with the like force and effect as hereinbefore provided."

1. Reported to House February 21, 1883.
2. First reading March 10, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.

A BILL

For An Act to amend section 23 of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly*, That section twenty-three, of an act entitled "An act in regard to evidence and depositions in civil cases," approved March 29, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 23. Copies of the books and entries of the sale of all lands or lots heretofore or that hereafter may be sold by this State or any of the officers thereof, under any law of this State, certified to be true and correct copies of such books and entries by the proper person or officer in whose custody said books and entries may properly be, shall be *prima facie* evidence of all the facts stated in said books and entries. The certificate of such officer of the purchase of or issuing of a patent for any tract of land sold by this State, or any agent of the same, shall be deemed and taken as evidence of title in the party certified to have made such purchase, or obtained such patent, his heir or assigns, unless a better and paramount title is exhibited for the same. The patent for land shall be deemed a better and paramount title in the patentee, his heirs and assigns, than such certificate; and where any swamp and overflowed lands and lots heretofore have been, or hereafter may be sold under any law of this State, by any proper person or officer of the county, copies of the books and entries of the sales of such swamp and overflowed lands and lots, certified to be true and correct copies of such books and entries, by the proper person or officer in whose custody such books and entries may properly be, shall be *prima facie* evidence of the facts stated in such books and entries. The certificate of such officer of the sale or entry of any tract or tracts of such swamp and overflowed land or lots, and of the accen-

tion of a deed for the same, giving the date of such sale or entry, the date of the execution of the deed, the name of the purchaser, and description of the land, under the seal of his office, may, if the original deed be lost, or it be out of the power of the party wishing to use the same to produce it in evidence, and such original deed has never been recorded, be read in evidence in place of said original deed, and shall be *prima facie* evidence of the execution and delivery of a proper deed for such land, and shall be deemed and taken as evidence of title in the person certified to have made such entry or purchase, his heirs and assigns, until a better and paramount title is exhibited for the same. And whenever it shall appear that the original deed made upon any entry or sale of such swamp and overflowed lands is lost or not in the power of the party wishing to use the same, and the same has never been recorded, as aforesaid, and that the books and original entries of sales of such swamp and overflowed lands have also been lost or destroyed, and the clerk of the county court, or other proper officer, shall have made return of such sales and entries to the Auditor of Public Accounts, according to law, a certified copy of such return by the Auditor, under his seal of office, may be used in evidence with the like force and effect as hereinbefore provided."

1. Introduced by Mr. Hogan, January 11, 1883, and ordered to a first reading.
2. First reading January 12, 1883 and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 3, 1883, with amendment; passage recommended, and ordered to a second reading.

A BILL

For An Act to amend section two (2) of an act entitled "An act to revise the law in relation to fences," approved March 21, 1874.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That section two (2) of an act entitled "An act to revise the law in re-
3 lation to fences," approved March 21, 1874, be and the same is amended to read as fol-
4 lows:

5 "§ 2. Fences four and one-half feet high and in good repair, consisting of rails, timber,
6 boards, stone, hedges, barbed wires consisting of not less than five strands, or whatever the
7 fence-viewers of the town or precinct where the same shall be, shall consider equivalent
8 thereto, shall be deemed legal and sufficient fences: *Provided*, that in counties under town-
9 ship organization the electors at any annual town meeting may determine what shall consti-
10 tute a legal fence in the town, and in counties not under township organization the power
11 to regulate the hight of fences shall be vested in the county board."

Amendment to Senate Bill No. 21.

Recommended by the Committee on Roads, Highways and Bridges.

Amend the bill by striking out of section two (2) all after the word "fences," in line eight
2 of section two of written bill.

1. Introduced by Mr. Hogan, January 11, 1883, and ordered to a first reading.
2. First reading January 12, 1883 and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 3, 1883, with amendment; passage recommended, and ordered to a second reading.
4. Second reading February 13, 1883, amended, and ordered to third reading. 7

A BILL

For An Act to amend section two (2) of an act entitled "An act to revise the law in relation to fences," approved March 31, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

- 2 *General Assembly.* That section two (2) of an act entitled "An act to revise the law in re
3 lation to fences," approved March 31, 1874, be and the same [is amended to read as fol-
4 lows:
5 "§ 2. Fences four and one-half feet high and in good repair, consisting of rails, timber,
6 boards, stone, hedges, barbed wires consisting of not less than five strands, or whatever the
7 fence-viewers of the town or precinct where the same shall be shall consider equivalent
8 thereto, shall be deemed legal and sufficient fences."



-
1. Introduced by Mr. Needles January 11, 1883, and ordered to a first reading.
 2. First reading January 12, 1883, and referred to Committee on *Miscellany*.
 3. Reported back January 31, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act for the protection of Prairie Chickens and Quail.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That it shall be unlawful for any person or persons to kill,
3 trap, net or ensnare, or otherwise destroy, or attempt to kill, net, trap, ensnare,
4 or in any way destroy any prairie chicken or quail, except for home consump-
5 tion, for the term of five years from the passage of this act.

§ 2. It shall be unlawful for any person or persons to sell, buy or offer for
2 sale, or cause to be bought or sold, any quail or prairie chicken, killed, trapped,
3 ensnared, netted or destroyed in any manner, within the State of Illinois, for
4 the term of five years from the passage of this act, and any person or persons
5 offending against the provisions of this act, shall, for each and every offense, be
6 deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in
7 any sum not less than twenty dollars nor more than fifty dollars, and costs of
8 suit, and shall stand committed to the county jail until such fine is paid: *Provi-*
9 *ded*, that such punishment shall not exceed twenty days.



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1. Introduced by Mr. Ray, January 11, 1883, and ordered to first reading.
 2. First reading January 12, 1883, and referred to Committee on Miscellany.
 3. Reported back January 31, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to amend an act entitled "An Act to Encourage the Cultivation of Fishes within the State of Illinois."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section 1 of an act entitled "An Act to encourage the
3 cultivation of fishes within the State of Illinois," approved May 13, 1879, and in
4 force July 1, 1879, be amended so as to read as follows:
5 "That it shall be unlawful for any person or persons to catch or kill
6 any fish or fishes in or upon any of the rivers, creeks, streams, ponds, lakes,
7 sloughs, bayous or other water courses wholly within or running through the
8 State of Illinois, with any sein, net, weir, spear, grab-hook, or other device than
9 with hook and line, from the 15th day of February to the 15th day of June, in
10 each and every year. And it shall be the duty of the State's Attorneys in the
11 different counties in this State to prosecute all violations of this act."

-
1. Introduced by Mr. Ray, January 11, 1883, and ordered to first reading.
 2. First reading January 12, 1883, and referred to Committee on Miscellaneous.
 3. Reported back January 31, 1883, passage recommended, and ordered to second reading.
 4. Second reading February 8, 1883, amended and ordered to third reading.
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A BILL.

For An Act to amend section 1 of an act entitled "An act to encourage the cultivation of fishes within the State of Illinois," approved and in force May 13, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 1 of an act entitled "An act to encourage the cultivation of fishes within the State of Illinois," approved and in force May 13, 1879, be amended so as to read as follows:

"That it shall be unlawful for any person or persons to catch or kill any fish or fishes in or upon any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water courses wholly within or running through the State of Illinois, with any sein, net, weir, spear, grab-hook, or other device than with hook and line, from the 15th day of February to the 15th day of June, in each and every year."

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1. Introduced by Mr. Ray, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Miscellany.
3. Reported back January 31, 1883, passage recommended, and ordered to second reading.
4. Second reading February 22, 1883, amended, and ordered to a third reading.

A BILL

For An Act to amend section one of an act entitled "An act to encourage the cultivation of fishes within the State of Illinois," approved and in force May 13, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section 1 of an act entitled "An act to encourage
3 the cultivation of fishes within the State of Illinois," approved and in force
4 May 13, 1879, be amended so as to read as follows:
5 "Section 1. That it shall be unlawful for any person or persons to catch
6 or kill any fish or fishes in or upon any of the rivers, creeks, streams, ponds,
7 lakes, sloughs, bayous or other water courses wholly within or running
8 through the State of Illinois, with any sein, net, weir, spear, grab-hook, or
9 other device than with hook and line, from the 15th day of February to the
10 15th day of June, in each and every year."



-
1. Reported to House March 6, 1883.
 2. First reading March 10, 1883, and referred to Committee on Fish and Game.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading March 23, 1883.
-

A BILL

For An Act to amend section one, of an act entitled "An act to encourage the cultivation of fishes within the State of Illinois," approved and in force May 13, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section 1, of an act entitled "An act to encourage
3 the cultivation of fishes within the State of Illinois," approved and in force
4 May 13, 1879, be amended so as to read as follows:
5 "Section 1. That it shall be unlawful for any person or persons to catch
6 or kill any fish or fishes in or upon any of the rivers, creeks, streams, ponds,
7 lakes, sloughs, bayous or other water-courses wholly within or running
8 through the State of Illinois, with any seine, net, weir, spear, grab-hook or
9 other device than with hook and line, from the 15th day of February, to
10 the 15th day of June, in each and every year."



1. Introduced by Mr. Cleoman, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Municipalities.
3. Reported back February 1, 1883, and referred to Committee on Judiciary.
4. Reported back February 3, 1883, with amendment, passage recommended and ordered to second reading.

A BILL

For An Act to amend section one of an act entitled "An act for the relief of disabled members of the police and fire departments in cities and villages," approved May 10, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly. That section one of an act entitled "An act for the relief of disabled members of the police and fire departments in cities and villages," approved May 10, 1879, be and the same is hereby amended so as to read as follows:

"Section 1. That one-half of all the rates, taxes and license fees which are or may be hereafter required, by law, to be paid by corporations, companies or associations not incorporated under the laws of this State, engaged in any village or city in this State effecting fire insurance, and all money collected as a tax on dogs, by such city or village, and all money received from fines inflicted upon members of the police and fire departments for a violation of the rules and regulations of the service, and all fines recovered for violation of the fire ordinances, and all moneys accruing from the sale of unclaimed stolen property, shall be set apart by the treasurer of the city or village to whom the same shall be paid, as a fund for the relief of disabled members of the police and fire departments of such city or village."

AMENDMENT TO SENATE BILL NO. 24, PROPOSED BY THE COMMITTEE ON JUDICIARY,

Amend by inserting after the word "dogs," in line 22 of written bill, the
2 following: "Where such city or village contains a population of 100,000 or
3 more, has a regularly organized fire department."

1. Introduced by Mr. Cloonan, January 11, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Municipalities.
3. Reported back February 1, 1883, and referred to Committee on Judiciary.
4. Reported back February 9, 1883, with amendment, passage recommended, and ordered to second reading.
5. Second reading March 2, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend section one of an act entitled "An act for the relief of disabled members of the police and fire departments in cities and villages," approved May 24, 1877, in force July 1, 1877, as amended by act approved May 10, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section one of an act entitled "An act for the relief
3 of disabled members of the police and fire departments in cities and villages,"
4 approved May 24, 1877, in force July 1, 1877, as amended by act approved
5 May 10, 1879, in force July 1, 1879, be and the same is hereby amended so as
6 to read as follows:

7 "Section 1. That one-half of all the rates, taxes and license fees which are
8 or may be hereafter required, by law, to be paid by corporations, companies
9 or associations not incorporated under the laws of this State, engaged in any
10 village or city in this State effecting fire insurance, and one fourth of all moneys
11 collected as a tax on dogs, where such city or village contains a population of
12 10,000 or more, has a regularly organized fire department by such city or village,
13 and all moneys received from fines inflicted upon members of the police and
14 fire departments for a violation of the rules and regulations of the service,
15 and all fines recovered for the violation of the fire ordinances, and all moneys

16 accruing from the sale of unclaimed stolen property, shall be set apart by
17 the treasurer of the city or village to whom the same shall be paid, as a
18 fund for the relief of disabled members of the police and fire departments
19 of such city or village."

-
1. Reported to House, March 30, 1883.
 2. First reading April 7, 1883, and referred to Committee on Municipal Affairs.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading May 3, 1883.
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A BILL

For An Act to amend section 1 of an act entitled "An act for the relief of disabled members of the police and fire departments in cities and villages," approved May 24, 1877, in force July 1, 1877, as amended by act approved May 10, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 1 of an act entitled "An act for the relief
3 of disabled members of the police and fire departments in cities and villages,"
4 approved May 24, 1877, in force July 1, 1877, as amended by act approved
5 May 10, 1879, in force July 1, 1879, be, and the same is hereby amended, so as
6 to read as follows:

7 "Section 1. That one-half of all the rates, taxes and license fees which are,
8 or may be hereafter required by law to be paid by corporations, companies or
9 associations not incorporated under the laws of this State, engaged in any
10 village or city in this State, affecting fire insurance, and one-fourth of all
11 moneys collected as a tax on dogs, where such city or village contains a
12 population of 10,000, or more, has a regularly organized fire department by
13 such city or village, and all moneys received from fines inflicted upon members
14 of the police and fire departments for a violation of the rules and regulations
15 of the service, and all fines recovered for violation of the fire ordinances, and

16 all moneys accruing from the sale of unclaimed stolen property, shall be set
17 apart by the treasurer of the city or village to whom the same shall be paid,
18 as a fund for the relief of disabled members of the police and fire
19 departments of such city or village."

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1. Introduced by Mr. Fletcher, January 12, 1883, and ordered to first reading.
 2. First reading January 13, 1883, and referred to Committee on Education and Educational Institutions.
 3. Reported back February 7, 1883, with amendment, passage recommended, and ordered to second reading.
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A BILL

For An Act to regulate the loaning of school funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That all public school officers and public school boards
3 holding any loanable school funds, shall loan such funds in the way and
4 under the conditions now, or which may be hereafter provided in the gen-
5 eral school law for the loaning of public school funds, anything in any
6 special school law to the contrary notwithstanding.

§ 2. Whereas, a large portion of the funds of certain school districts are
2 now lying idle in the treasuries of said districts because of the inability
3 to loan said funds under certain special school laws, therefore an emer-
4 gency exists, and this act shall take effect and be in force from and after
5 its passage.

AMENDMENT TO SENATE BILL NO. 26, RECOMMENDED BY COMMITTEE ON EDUCATION AND EDUCATIONAL INSTITUTIONS.

Amend by striking out all of section one after the word "assembly" and insert in lieu thereof the following:

3 "That in all cases where school funds are held by any person or persons,
4 in an official capacity, by virtue of any special charter defining the manner
5 of loaning the same, such moneys may be loaned upon the same terms and
6 conditions as are now provided, or may hereafter be provided, by the school
7 laws of this State."

1. Introduced by Mr. Fletcher, January 12, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back February 7, 1883, with amendment, passage recommended, and ordered to second reading.
4. Second reading February 16, 1883, amended, and ordered to third reading.

A BILL

For An Act to regulate the loaning of school funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That in all cases where school funds are held by any
3 person or persons, in an official capacity, by virtue of any special charter
4 defining the manner of loaning the same, such moneys may be loaned upon
5 the same terms and conditions as are now provided, or may hereafter be
6 provided by the school laws of this State.

§ 2. Whereas, a large portion of the funds of certain school districts are
2 now lying idle in the treasuries of said districts because of the inability
3 to loan said funds under certain special school laws, therefore an emer-
4 gency exists, and this act shall take effect and be in force from and after
5 its passage.

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1. Reported to House February 23, 1883.
 2. First reading March 2, 1883.

A BILL

For An Act to regulate the loaning of school funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in*
2 *the General Assembly,* That in all cases where school funds are held by any
3 person or persons in an official capacity, by virtue of any special charter
4 defining the manner of loaning the same, such moneys may be loaned upon
5 the same terms and conditions as are now provided, or may hereafter be
6 provided, by the school laws of this State.

§ 2. Whereas, a large portion of the funds of certain school districts are
2 now lying idle in the treasuries of said districts, because of the inability to
3 loan said funds under certain special school laws, therefore an emergency exists,
4 and this act shall take effect and be in force from and after its passage.



1. Introduced by Mr. White, January 12, 1883, and ordered to first reading.
2. First reading, January 12, 1883, and referred to Committee on Municipalities.
3. Ordered, by request, February 1, 1883, that 100 copies be printed for use of Committee.

A BILL

For An Act to amend section fifty-nine (59) of an act entitled "An act to revise the law in relation to counties," approved and in force March 31, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That section fifty-nine (59) of an act entitled "An act to revise the law
3 in relation to counties," approved and in force March 31, 1874, be and the same is hereby
4 amended so as to read as follows:

5 "SECTION 59. The County of Cook shall be divided into six districts for the election of
6 county commissioners, and there shall be elected by general ticket in and for said county, in
7 the manner provided by law for the election of other county officers in and for said county,
8 such commissioners from the respective districts as follows:

9 *First*—The city of Chicago shall constitute the first district, and on the first Tuesday after
10 the first Monday in November in the year 1883, and every three years thereafter, there shall
11 be elected from said first district four commissioners; and on the first Tuesday after the first
12 Monday in November in the year 1884, and every three years thereafter, there shall be
13 elected from said district two commissioners; and on the first Tuesday after the first Mon-
14 day in November in the year 1885, and every three years thereafter, there shall be elected
15 from said district four commissioners.

16 *Second*—The towns of Lake View, Jefferson, Norwood Park, Niles, Evanston, New Trier
17 and Northfield shall constitute the second district; and on the first Tuesday after the first
18 Monday of November in the year 1884, and every three years thereafter, there shall be
19 elected from said district one commissioner.

20 *Third*—The towns of Wheeling, Maine, Elk Grove, Schaumberg, Palatine, Barrington
 21 and Hanover shall constitute the third district; and on the first Tuesday after the first Mon-
 22 day of November in the year 1885, and every three years thereafter, there shall be elected
 23 from said district one commissioner.

24 *Fourth*—The towns of Leyden, Proviso, Lyons, Cicero, Riverside and Lake shall consti-
 25 tute the fourth district; and on the first Tuesday after the first Monday of November in the
 26 year 1884, and every three years thereafter, there shall be elected from said district one com-
 27 missioner.

28 *Fifth*—The towns of Hyde Park, Calumet, Worth and Thornton shall constitute the fifth
 29 district; and on the first Tuesday after the first Monday of November in the year 1883, and
 30 every three years thereafter, there shall be elected from said district one commissioner.

31 *Sixth*—The towns of Bloom, Rich, Bremen, Orland, Palos and Lemont shall constitute
 32 the sixth district; and on the first Tuesday after the first Monday of November in the year
 33 1884, and every three years thereafter, there shall be elected from said district one commis-
 34 sioner.

1. Introduced by Mr. Berggren, January 12, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Judicial Department.
3. Reported back with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1), three (3) and four (4) of division XII of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

General Assembly, That sections one (1), three (3) and four (4) of division XII of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the same are hereby amended so as to read as follows:

"Section 1. When an indictment is found as a true bill, if the offence is bailable, the court shall make an order fixing the amount of bail to be required of the accused.

*"Section 3. When the offence is bailable, the clerk shall endorse on the process the amount of bail required by the order of the court, and if the court orders the process returnable forthwith, the *capias* shall require the accused to be arrested and brought immediately to court.*

*"Section 4. The sheriff, or in case of his absence or inability, the coroner or some one of the constables of the county to which the *capias* is directed, shall arrest the person named in the warrant, and if the offence is bailable, and the writ is not returnable forthwith, let him to bail, if sufficient bail is offered or if the offence is not bailable, or sufficient bail is not offered, take his body to the jail of the county where the *capias* is returnable, and*

19 deliver him, together with the *capias*, to the keeper of the jail, there to
 20 remain until discharged by due course of law. If the process is returnable
 21 forthwith, the accused shall be immediately brought into court, when he
 22 shall be either committed, bailed or tried, as the court may direct; but if
 23 the court shall not be in session when the officer makes the arrest, so that
 24 the accused may be let to bail in open court, such officer may let him to
 25 bail conditioned for his appearance on the day to which the court stands
 26 adjourned, if sufficient bail is offered. The sheriff or other officer taking
 27 such bail shall be authorized and required to administer oaths for the pur-
 28 pose of ascertaining the sufficiency of the bail offered."

**AMENDMENTS TO SENATE BILL NO. 31, RECOMMENDED BY THE
 COMMITTEE ON JUDICIAL DEPARTMENT.**

Amend by substituting for the word "section" in the title of the bill the
 2 word "sections."

3 Amend by substituting the word "in" in the place of the word "by" after
 4 the word "discharged," in the ninth line of the second page of the written
 5 bill.

1. Introduced by Mr. Berggren, January 13, 1883, and ordered to first reading.
2. First reading January 13, 1883, and referred to Committee on Judicial Department.
3. Reported back with amendments, passage recommended, and ordered to second reading.
4. Second reading, February 17, 1883, and ordered to a third reading.

A BILL

For An Act to amend sections one (1), three (3) and four (4) of division XII of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That sections one (1), three (3) and four (4) of division
3 XII of an act entitled "An act to revise the law in relation to criminal
4 jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the
5 same are hereby amended so as to read as follows:

6 "Section 1. When an indictment is found as a true bill, if the offence is
7 bailable, the court shall make an order fixing the amount of bail to be
8 required of the accused.

9 "Section 3. When the offence is bailable, the clerk shall endorse on the
10 process the amount of bail required by the order of the court, and if the
11 court orders the process returnable forthwith, the *capias* shall require the
12 accused to be arrested and brought immediately to court.

13 "Section 4. The sheriff, or in case of his absence or inability, the coroner
14 or some one of the constables of the county to which the *capias* is directed
15 shall arrest the person named in the warrant, and if the offence is bailable,
16 and the writ is not returnable forthwith, let him to bail, if sufficient bail is
17 offered, or if the offence is not bailable, or sufficient bail is not offered,

18 take his body to the jail of the county where the *capias* is returnable, and
 19 deliver him, together with the *capias*, to the keeper of the jail, there to
 20 remain until discharged in due course of law. If the process is returnable
 21 forthwith, the accused shall be immediately brought into court, when he
 22 shall be either committed, bailed or tried, as the court may direct; but if
 23 the court shall not be in session when the officer makes the arrest, so that
 24 the accused may be let to bail in open court, such officer may let him to
 25 bail conditioned for his appearance on the day to which the court stands
 26 adjourned, if sufficient bail is offered. The sheriff or other officer taking
 27 such bail shall be authorized and required to administer oaths for the pur-
 28 pose of ascertaining the sufficiency of the bail offered."

1. Reported to House February 28, 1883.
2. First reading March 10, 1883, and referred to Committee on Judiciary.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.

A BILL

For An Act to amend sections one (1), three (3) and four (4), of division XII, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections one (1), three (3) and four (4), of division
3 XII, of an act entitled "An act to revise the law in relation to criminal
4 jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the
5 same are hereby amended, so as to read as follows:

6 "Section 1. When an indictment is found, as a true bill, if the offense is
7 bailable, the court shall make an order, fixing the amount of bail to be re-
8 quired of the accused.

9 "Section 3. When the offense is bailable, the clerk shall endorse on the
10 process, the amount of bail required by the order of the court, and if the
11 court orders the process returnable forthwith, the *copies* shall require the
12 accused to be arrested and brought immediately to court.

13 "Section 4. The sheriff, or in case of his absence or inability, the coroner
14 or some one of the constables of the county to which the *copies* is directed,
15 shall arrest the person named in the warrant, and if the offense is bailable,
16 and the writ is not returnable forthwith, let him to bail, if sufficient bail is
17 offered, or if the offense is not bailable, or sufficient bail is not offered, take
18 his body to the jail of the county where the *copies* is returnable, and de-

19 liver him, together with the *capias*, to the keeper of the jail, there to remain
20 until discharged in due course of law. If the process is returnable forth-
21 with, the accused shall be immediately brought into court, when he shall be
22 either committed, bailed, or tried, as the court may direct; but if the court
23 shall not be in session when the officer makes the arrest, so that the ac-
24 cused may be let to bail in open court, such officer may let him to bail, con-
25 ditioned for his appearance on the day to which the court stands adjourned,
26 if sufficient bail is offered. The sheriff, or other officer, taking such bail
27 shall be authorized and required to administer oaths for the purpose of ascer-
28 taining the sufficiency of the bail offered."

1. Introduced by Mr. Mamer, January 12, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Municipalities.
3. Ordered, February 1, 1883, that 100 copies be printed for use of Committee.

A BILL

For 'An Act to amend section fifty-nine (59) of an act entitled "An act to revise the law in relation to counties," approved and in force March 31, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented

1 *in the General Assembly,* That section fifty-nine (59) of an act entitled "An act to re-
2 vise the law in relation to counties," approved and in force March 31, 1874, be and the same
3 is hereby amended so as to read as follows:

4 *Districts.* § 59. The county of Cook shall be divided into fifteen districts for the
5 election of County Commissioners, and each of said districts shall be entitled to elect one
6 commissioner and comprise such territory as is hereinafter provided:

7 *First*—The Third ward, the Fourth ward, and that part of the Second ward south of the
8 center line of Twelfth street in the city of Chicago, in the county of Cook, shall constitute
9 the first district. and shall on the first Tuesday after the first Monday of November, in the
10 year 1884, and every three years thereafter, elect one commissioner.

11 *Second*—That part of the Second ward north of the center line of Twelfth street, and
12 the Eighth ward in the city of Chicago, in the county of Cook, shall constitute the second
13 district, and shall on the first Tuesday after the first Monday of November, in the year
14 1885, and every three years thereafter, elect one commissioner.

15 *Third*—The Fifth ward, and that part of the Sixth ward east of the center line of Jeffer-
16 son street in the city of Chicago, in the county of Cook, shall constitute the third district,
17 and shall on the first Tuesday after the first Monday of November, in the year 1884, and
18 every three years thereafter, elect one commissioner.

19 *Fourth*—All of the Sixth ward, except that part lying east of the center line of Jeffer-
 20 son street, and the Seventh ward east of the center line of Halsted street, in the city of
 21 Chicago, in the county of Cook, shall constitute the fourth district, and shall on the first
 22 Tuesday after the first Monday of November, in the year 1885, and every three years there-
 23 after, elect one commissioner.

24 *Fifth*—The Seventh ward west of the center line of Halsted street and the Twelfth ward,
 25 in the city of Chicago, in the county of Cook, shall constitute the fifth district, and shall
 26 on the first Tuesday after the first Monday of November, in the year 1883, and every three
 27 years thereafter, elect one commissioner.

28 *Sixth*—The Ninth ward, the Tenth ward south of the center line of Kinzie street and
 29 the Eleventh ward in the city of Chicago, in the county of Cook, shall constitute the sixth
 30 district, and shall on the first Tuesday after the first Monday of November, in the year
 31 1885, and every three years thereafter, elect one commissioner.

32 *Seventh*—The Thirteenth ward and all of the Fourteenth ward except that part thereof
 33 lying east of a line drawn from a point where the center line of May street intersects the
 34 center line of Ohio street, north along said center line of May street to the center line of
 35 Chicago avenue; thence west along said center line of Chicago avenue to the center line of
 36 Noble street; thence north along said center line of Noble street to the center line of
 37 Milwaukee avenue; thence northwest along said center line of Milwaukee avenue to the
 38 center line of Ashland avenue; thence north along said center line of Ashland avenue to
 39 the center line of Clybourn Place; thence northeasterly along said center line of Clybourn
 40 Place to the north branch of the Chicago river, in the city of Chicago, in the county of
 41 Cook, shall constitute the seventh district, and shall on the first Tuesday after the first Mon-
 42 day of November, in the year 1883, and every three years thereafter, elect one commissioner.

43 *Eighth*—The Tenth ward north of the center line of Kinzie street, that part of the
 44 Fourteenth ward lying east of a line drawn from a point where the center line of May
 45 street intersects the center line of Ohio street, north along said center line of May street to
 46 the center line of Chicago avenue; thence west along said center line of Chicago avenue to
 47 the center line of Noble street; thence north along said center line of Noble street to the
 48 center line of Milwaukee avenue; thence northwest along said center line of Milwaukee
 49 avenue to the center line of Ashland avenue; thence north along said center line of Ashland
 50 avenue to the center line of Clybourn Place; thence northeasterly along said center line of

51 Clybourn Place to the north branch of the Chicago river, that part of the Seventeenth ward
 52 bounded by a line drawn from a point where the center line of Chicago avenue intersects
 53 the north branch of the Chicago river, east along said center line of Chicago avenue to the
 54 center line of Sedgwick street; thence north along said center line of Sedgwick street to
 55 the center line of Oak street; thence east along said center line of Oak street to the center
 56 line of Franklin street; thence south along said center line of Franklin street to the
 57 Chicago river; thence west and northwesterly along said river to the point of beginning,
 58 and also that part of the Seventeenth ward lying west of the center line of Halsted street,
 59 and that part of the Sixteenth ward lying west of the center line of Halsted street in
 60 the city of Chicago, in the county of Cook, shall constitute the Eighth district, and shall on
 61 the first Tuesday after the first Monday of November, in the year 1835, and every three
 62 years thereafter, elect one commissioner.

63 *Ninth*—The First ward, the Eighteenth ward, and that part of the Seventeenth ward
 64 bounded by a line drawn from a point where the center line of Franklin street intersects the
 65 center line of Oak street west along said center line of Oak street to the center line of
 66 Sedgwick street; thence south along said center line of Sedgwick street to the center line
 67 of Chicago avenue; thence west along said center line of Chicago avenue to the north
 68 branch of the Chicago river; thence west northwesterly along said north branch of the
 69 Chicago river to the center line of Halsted street; thence north along said center line of
 70 Halsted street to the center line of Division street; thence east along said center line of
 71 Division street to the center line of Franklin street; thence south along said center line of
 72 Franklin street to the center line of Oak street, in the city of Chicago, in the county of
 73 Cook, shall constitute the ninth district, and shall on the first Tuesday after the first Mon-
 74 day of November, in the year 1833, and every three years thereafter, elect one commis-
 75 sioner.

76 *Tenth*—The Fifteenth ward and the Sixteenth ward east of the center line of Halsted
 77 street, in the city of Chicago, in the county of Cook, shall constitute the tenth district, and
 78 shall on the first Tuesday after the first Monday of November, in the year 1833, and every
 79 three years thereafter, elect one commissioner.

80 *Eleventh*—The towns of Lake View, Jefferson, Norwood Park, Niles, Evanston, New
 81 Trier, and Northfield, in the county of Cook, shall constitute the eleventh district, and shall
 82 on the first Tuesday after the first Monday of November, in the year 1834, and every three
 83 years thereafter, elect one commissioner.

84 *Twelfth*—The towns of Wheeling, Maine, Elk Grove, Schaumburg, Palatine, Barrington
85 and Hanover, in the county of Cook, shall constitute the twelfth district, and shall on the
86 first Tuesday after the first Monday of November, in the year 1885, and every three years
87 thereafter, elect one commissioner.

88 *Thirteenth*—The towns of Leyden, Proviso, Lyons, Cicero, Riverside and Lake, in the
89 county of Cook, shall constitute the thirteenth district, and shall on the first Tuesday after
90 the first Monday of November, in the year 1884, and every three years thereafter, elect one
91 commissioner.

92 *Fourteenth*—The towns of Hyde Park, Calumet, Worth and Thornton, in the county of
93 Cook, shall constitute the fourteenth district, and shall on the first Tuesday after the first
94 Monday of November, in the year 1883, and every three years thereafter, elect one
95 commissioner.

96 *Fifteenth*—The towns of Bloom, Rich, Bremen, Orland, Palos and Lemont, in the
97 county of Cook, shall constitute the fifteenth district, and shall on the first Tuesday after
98 the first Monday of November, in the year 1884, and every three years thereafter, elect one
99 commissioner.

1. Introduced by Mr. Mamer, January 12, 1883, and ordered to first reading.
2. First reading January 12, 1883, and referred to Committee on Municipalities.
3. Reported back April 13, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section fifty-nine (59) of an act entitled "An act to revise the law in relation to counties," approved and in force March 31, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section fifty nine (59) of an act entitled "An act to
3 revise the law in relation to counties," approved and in force March 31, 1874,
4 be and the same is hereby amended, so as to read as follows:

5 "Section 59. (Districts). The county of Cook shall be divided into fifteen
6 districts for the election of county commissioners, and each of said districts
7 shall be entitled to elect one commissioner and comprise such territory as is
8 hereinafter provided:

9 *First*—The Third ward, the Fourth ward and that part of the Second
10 ward south of the center line of Twelfth street, in the city of Chicago, in
11 the county of Cook, shall constitute the first district, and shall, on the first
12 Tuesday after the first Monday of November, in the year 1884, and every
13 three years thereafter, elect one commissioner.

14 *Second*—That part of the Second ward north of the center line of Twelfth
15 street, and the Eighth ward in the city of Chicago, in the county of Cook,
16 shall constitute the second district, and shall, on the first Tuesday after the
17 first Monday of November, in the year 1884, and every three years there-
18 after, elect one commissioner.

19 *Third*—The Fifth ward and that part of the Sixth ward, east of the cen-
 20 ter line of Jefferson street, in the city of Chicago, in the county of Cook,
 21 shall constitute the third district, and shall, on the first Tuesday after the
 22 first Monday of November, in the year 1884, and every three years there-
 23 after, elect one commissioner.

24 *Fourth*—All of the Sixth ward, except that part lying east of the center
 25 line of Jefferson street, and the Seventh ward east of the center line of
 26 Halsted street, in the city of Chicago, in the county of Cook, shall consti-
 27 tute the Fourth district, and shall, on the first Tuesday after the first Mon-
 28 day of November, in the year 1885, and every three years thereafter, elect
 29 one commissioner.

30 *Fifth*—The Seventh ward west of the center line of Halsted street, and
 31 the Twelfth ward, in the city of Chicago, in the county of Cook, shall con-
 32 stitute the Fifth district, and shall, on the first Tuesday after the first
 33 Monday of November, in the year 1883, and every three years thereafter,
 34 elect one commissioner.

35 *Sixth*—The Ninth ward, the Tenth ward south of the center line of Kin-
 36 zie street, and the Eleventh ward, in the city of Chicago, in the county of
 37 Cook, shall constitute the Sixth district, and shall, on the first Tuesday
 38 after the first Monday of November, in the year 1885, and every three
 39 years thereafter, elect one commissioner.

40 *Seventh*—The Thirteenth ward, and all of the Fourteenth ward except that
 41 part thereof, lying east of a line drawn from a point where the center line
 42 of May street intersects the center line of Ohio street, north along said
 43 center line of May street to the center line of Chicago avenue, thence west
 44 along said center line of Chicago avenue to the center line of Noble street,
 45 thence north along said center line of Noble street to the center line of
 46 Milwaukee avenue, thence northwest along said center line of Milwaukee
 47 avenue to the center line of Ashland avenue, thence north along said
 48 center line of Ashland avenue to the center line of Clybourn Place,
 49 thence northeasterly along said center line of Clybourn Place to the
 50 north branch of the Chicago river, in the city of Chicago, in the county

51 of Cook, shall constitute the Seventh district, and shall on the first Tues-
 52 day after the first Monday of November, in the year 1883, and every three
 53 years thereafter, elect one commissioner.

54 *Eighth*—The Tenth ward north of the center line of Kinzie street, that
 55 part of the Fourteenth ward lying east of a line drawn from a point where
 56 the center line of May street intersects the center line of Ohio street,
 57 north along said center line of May street to the center line of Chicago
 58 avenue, thence west along said center line of Chicago avenue to the center
 59 line of Noble street, thence north along said center line of Noble street to
 60 the center line of Milwaukee avenue, thence northwest along said center
 line of Milwaukee avenue to the center line of Ashland avenue, thence
 62 north along said center line of Ashland avenue to the center line of Cly-
 63 bourn Place, thence northeasterly along said center line of Clybourn Place
 64 to the north branch of the Chicago river, that part of the Seventeenth
 65 ward bounded by a line drawn from a point where the center line of
 66 Chicago avenue intersects the north branch of the Chicago river, east
 67 along said center line of Chicago avenue to the center line of Sedgwick
 68 street, thence north along said center line of Sedgwick street to the center
 69 line of Oak street, thence east along said center line of Oak street to the
 70 center line of Franklin street, thence south along said center line of Frank-
 71 lin street to the Chicago river, thence west and northwesterly along said
 72 river to the point of beginning, and also that part of the Seventeenth ward
 73 lying west of the center line of Halsted street, and that part of the Six-
 74 teenth ward lying west of the center line of Halsted street, in the city of
 75 Chicago, in the County of Cook, shall constitute the Eighth district and
 76 shall, on the first Tuesday after the first Monday of November, in the
 77 year 1885, and every three years thereafter, elect one commissioner.

78 *Ninth*—The First ward, the Eighteenth ward, and that part of the
 79 Seventeenth ward bounded by a line drawn from a point where the center
 80 line of Franklin street intersects the center line of Oak street, west along
 81 said center line of Oak street to the center line of Sedgwick street, thence
 82 south along said center line of Sedgwick street to the center line of Chicago

83 avenue, thence west along said center line of Chicago avenue to the north
 84 branch of the Chicago river, thence west northwesterly along said north
 85 branch of the Chicago river to the center line of Halsted street, thence
 86 north along said center line of Halsted street to the center line of Division
 87 street, thence east along said center line of Division street to the center
 88 line of Franklin street, thence south along said center line of Franklin
 89 street to the center line of Oak street, in the city of Chicago, in the
 90 county of Cook, shall constitute the Ninth district, and shall, on the first
 91 Tuesday after the first Monday of November, in the year 1883, and every
 92 three years thereafter, elect one commissioner.

93 *Tenth*—The Fifteenth ward, and the Sixteenth ward east of the center
 94 line of Halsted street, in the city of Chicago, in the county of Cook, shall
 95 constitute the Tenth district, and shall, on the first Tuesday after the first
 96 Monday of November, in the year 1883, and every three years thereafter,
 97 elect one commissioner.

98 *Eleventh*—The towns of Lake View, Jefferson, Norwood Park, Niles,
 99 Evanston, New Trier, and Northfield, in the county of Cook, shall consti-
 100 tute the Eleventh district, and shall, on the first Tuesday after the first
 101 Monday of November, in the year 1884, and every three years thereafter,
 102 elect one commissioner.

103 *Twelfth*—The towns of Wheeling, Maine, Elk Grove, Schaumburg,
 104 Palatine, Barrington, and Hanover, in the county of Cook, shall constitute
 105 the Twelfth district, and shall, on the first Tuesday after the first Monday
 106 of November, in the year 1885, and every three years thereafter, elect one
 107 commissioner.

108 *Thirteenth*—The towns of Leyden, Proviso, Lyons, Cicero, Riverside and
 109 Lake, in the county of Cook, shall constitute the Thirteenth district, and
 110 shall, on the first Tuesday after the first Monday of November, in the year
 111 1884, and every three years thereafter, elect one commissioner.

112 *Fourteenth*—The towns of Hyde Park, Calumet, Worth, and Thornton, in
 113 the county of Cook, shall constitute the Fourteenth district, and shall, on

114 the first Tuesday after the first Monday of November, in the year 1883, and
115 every three years thereafter, elect one commissioner.

116 *Fifteenth*—The towns of Bloom, Rich, Bremen, Orland, Palos, and Lemont,
117 in the county of Cook, shall constitute the Fifteenth district, and shall, on
118 the first Tuesday after the first Monday in November, in the year 1884, and
119 every three years thereafter, elect one commissioner.

1. Introduced by Mr. Edwards, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Revenue.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 260 of an act entitled "An act for the assessment of property and for the levy and collection of taxes."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly, That section 260 of "An act for the assessment of property and for the levy and collection of taxes," be and the same is hereby amended to read as follows:

"Section 260. When suit is instituted in behalf of the State, it may be in either division of the Supreme Court or in the Sangamon county circuit court, or in any court of record in this State having jurisdiction of the amount, and process may be directed to any county in the State. In any proceeding against any officer or person whose duty it is to collect, receive, settle for or pay over any of the revenues of the State, whether the proceedings be by suit on the bond of such officer or person or otherwise, the court in which such proceeding is pending shall have power in a summary way to compel such officer or person to exhibit on oath a full and fair statement of all moneys by him collected or received, or which ought to be settled for or paid over, and to disclose all such matters and things as may be necessary to a full understanding of the case; and the court may, upon hearing, give judgment for such sum or sums of money as such officer or person is liable in law or equity to pay.

19 And if, in a suit upon the bond of any such officer or person, he or his
20 sureties, or any of them, shall for any reason not be liable upon the bond,
21 the court may, nevertheless, give judgment against such officer or person, or
22 against such officer and such of his sureties as are liable for the amount
23 he or they may be liable to pay without regard to the for[form] of the
24 action or pleadings. And when any such judgment is rendered by the
25 Supreme Court in either of the grand divisions thereof, it shall be the duty
26 of the clerk of the court in which such judgment is rendered, within ten
27 days after the rendition thereof, to make a certified copy thereof and trans-
28 mit the same to the clerk of the circuit court of the county in and for
29 which such defaulting collection officer or person was elected; and it shall
30 be the duty of such circuit clerk, upon receipt of such certified copy, to file
31 and record the same in his office and to enter the judgment upon his judg-
32 ment docket; whereupon such judgment shall have the same force and effect
33 and execution may issue thereon the same as if said judgment had been
34 originally rendered in said circuit court."

1. Introduced by Mr. Edwards, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Revenue.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.
4. Second reading March 2, amended, and ordered to third reading.

A BILL

For An Act to amend section 260, of an act entitled "An act for the assessment of property and for the levy and collection of taxes."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That section 260, of "An act for the assessment of prop-
3 erty and for the levy and collection of taxes," be and the same is hereby
4 amended to read as follows:

5 "Section 260. When suit is instituted in behalf of the State, it may be in
6 either division of the Supreme Court or in the Sangamon county circuit
7 court, or in any court of record to this State having jurisdiction of the
8 amount, and process may be directed to any county in the State. In any
9 proceeding against any officer or person whose duty it is to collect, receive,
10 settle for or pay over any of the revenues of the State, whether the pro-
11 ceedings be by suit on the bond of such officer or person or otherwise, the
12 court in which such proceeding is pending shall have power in a summary
13 way to compel such officer or person to exhibit on oath a full and fair
14 statement of all moneys by him collected or received, or which ought to be
15 settled for or paid over, and to disclose all such matter and things as may
16 be necessary to a full understanding of the case; and the court may, upon
17 hearing, give judgment for such sum or sums of money as such officer or
18 person is liable in law or equity to pay.

19 And if, in a suit upon the bond of any such officer or person, he or his
20 sureties, or any of them, shall for any reason not be liable upon the bond,
21 the court may, nevertheless, give judgment against such officer or person, or
22 against such officer and such of his sureties as are liable for the amount he
23 or they may be liable to pay without regard to the form of the action or
24 pleadings. And when any such judgment is rendered by the Supreme Court
25 in either of the grand divisions thereof, it shall be the duty of the clerk of
26 the court in which such judgment is rendered, within ten days after the
27 rendition thereof, to make a certified copy thereof and transmit the same
28 to the clerk of the circuit court of the county in and for which such
29 defaulting collector, officer or person was elected; and it shall be the
30 duty of such circuit clerk, upon receipt of such certified copy, to file and
31 record the same in his office and to enter the judgment upon his judg-
32 ment docket; whereupon such judgment shall have the same force and effect,
33 and execution may issue thereon, the same as if said judgment had been
34 originally rendered in said circuit court."

1. Reported to House March 28, 1883.
2. First reading April 7, 1883, and referred to Committee on Revenue.
3. Reported back, passage recommended, report concurred in, and ordered to a second reading April 20, 1883.

A BILL

For An Act to amend section 260, of an act entitled "An act for the assessment of property and for the levy and collection of taxes."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 260, of "An act for the assessment of prop-
3 erty and for the levy and collection of taxes," be and the same is hereby
4 amended, to read as follows:

5 "Section 260. When suit is instituted in behalf of the State, it may be in
6 either division of the Supreme Court or in the Sangamon county circuit
7 court, or in any court of record to this State having jurisdiction of the
8 amount, and process may be directed to any county in the State. In any
9 proceeding against any officer or person whose duty it is to collect, receive,
10 settle for or pay over any of the revenues of the State, whether the
11 proceedings be by suit on the bond of such officer or person or otherwise,
12 the court in which such proceeding is pending shall have power in a
13 summary way to compel such officer or person to exhibit on oath a full and
14 fair statement of all moneys by him collected or received, or which ought to
15 be settled for or paid over, and to disclose all such matter and things as
16 may be necessary to a full understanding of the case; and the court may,
17 upon hearing, give judgment for such sum or sums of money as such officer
18 or person is liable in law or equity to pay. And if, in a suit upon the
19 bond of any such officer or person, he or his sureties, or any of them, shall

20 for any reason not be liable upon the bond, the court may, nevertheless,
21 give judgment against such officer or person, or against such officer and
22 such of his sureties as are liable for the amount he or they may be liable
23 to pay without regard to the form of the action or pleadings. And when
24 any such judgment is rendered by the Supreme Court in either of the grand
25 divisions thereof, it shall be the duty of the clerk of the court in which
26 such judgment is rendered, within ten days after the rendition thereof, to
27 make a certified copy thereof and transmit the same to the clerk of the
28 circuit court of the county in and for which such defaulting collector,
29 officer or person was elected; and it shall be the duty of such circuit clerk,
30 upon receipt of such certified copy, to file and record the same in his office
31 and to enter the judgment upon his judgment docket; whereupon such
32 judgment shall have the same force and effect, and execution may issue
33 thereon, the same as if said judgment had been originally rendered in said
34 circuit court."

1. Introduced by Mr. Duncan, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Judiciary.
3. Reported back February 7, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section six (6) of an act entitled "An act concerning voluntary assignments, and conferring jurisdiction therein upon county courts," approved May 22, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section six (6) of an act entitled "An act concerning voluntary assignments and conferring jurisdiction therein upon county courts," approved May 22, 1877, in force July 1, 1877, be and the same is hereby so amended as to read as follows:

"Section 6. That at the first term of the said county court after the expiration of the three months, as aforesaid, should no exception be made to the claim of any creditor, or if exceptions have been made, and the same have been adjudicated and settled by the court, the said court shall order the assignee or assignees to make from time to time fair and equal dividends (among the creditors) of the assets in his or their hands, in proportion to their claims, and as soon as may be, and within one year thereafter, to render a final account of said trust to said county court, and said court may allow such commissions and allowances to said assignee or assignees in the final settlement as may be considered by the court to be just and right: *Provided, however*, that all claims for the wages of any laborer or servant, filed within said term of three months, and to which no exception has been made, or to which exceptions have been made and the same have been

19 adjudicated and settled by the court, shall, after the payment of the costs,
20 commissions and expenses of assignment, be preferred, and first paid to the
21 exclusion of all other demands and claims: *Provided, further,* that such
22 claims for wages of any laborer or servant shall recite upon their face that
23 they are for such wages, and when exceptions are taken to such claims the
24 said court, in adjudicating and settling the same, shall find that the claim
25 so adjudicated and settled is for wages of such laborer or servant.

AMENDMENTS TO SENATE BILL NO. 37, PROPOSED BY THE
JUDICIARY COMMITTEE.

Amend by inserting after the word "servant" and before the word "filed"
2 in the 12th line of folio 2, the words "which have been earned within the
3 "term of three months next preceding the making of such assignment, and
4 "and which have been."
5 Also, after the word "months" in line 13 of the said folio 2, add the words
6 "after such assignment."

1. Introduced by Mr. Duncan, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Judiciary.
3. Reported back February 7, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading February 27, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend section six (6) of an act entitled "An act concerning voluntary assignments, and conferring jurisdiction therein upon county courts," approved May 22, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That section six (6) of an act entitled "An act concerning
3 voluntary assignments and conferring jurisdiction therein upon county
4 courts," approved May 22, 1877, in force July 1, 1877, be and the same is
5 hereby so amended as to read as follows :

6 "Section 6. That at the first term of the said county court after the expira-
7 tion of the three months, as aforesaid, should no exception be made to the
8 claim of any creditor, or if exceptions have been made, and the same have
9 been adjudicated and settled by the court, the said court shall order the
10 assignee or assignees to make from time to time fair and equal dividends
11 (among the creditors) of the assets in his or their hands, in proportion to
12 their claims, and as soon as may be, and within one year thereafter, to ren-
13 der a final account of said trust to said county court, and said court may
14 allow such commissions and allowances to said assignee or assignees in the
15 final settlement as may be considered by the court to be just and right:

16 *Provided however*, that all claims for the wages of any laborer or servant,
17 which have been earned within the term of three months next preceding

18 the making of such assignment, and which have been filed within said term
19 of three months after such assignment, and to which no exception has been
20 made, or to which exceptions have been made and the same have been ad-
21 judicated and settled by the court, shall, after the payment of the costs,
22 commissions and expenses of assignment, be preferred, and first paid to the
23 exclusion of all other demands and claims: *Provided, further,* that such
24 claims for wages of any laborer or servant shall recite upon their face that
25 they are for such wages, and when exceptions are taken to such claims the
26 said court, in adjudicating and settling the same, shall find that the claim
27 so adjudicated and settled is for wages of such laborer or servant.

1. Reported to House March 8, 1883.
2. First reading March 22, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 30, 1883.

A BILL

For An Act to amend section six (6), of an act entitled "An act concerning voluntary assignments, and conferring jurisdiction therein upon county courts," approved May 22, 1877, in force July 1, 1877.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the

1 *General Assembly:* That section six (6), of an act entitled "An act concern-
2 ing voluntary assignments and conferring jurisdiction therein upon county
3 courts," approved May 22, 1877, in force July 1, 1877, be, and the same is
4 hereby amended, as to read as follows:

5 "Section 6. That at the first term of the said county court, after the
6 expiration of three months as aforesaid, should no exception be made to the
7 claim of any creditor, or, if exceptions have been made, and the same have
8 been adjudicated and settled by the court, the said court shall order the
9 assignee or assignees to make from time to time fair and equal dividends
10 (among the creditors), of the assets in his or their hands, in proportion to
11 their claims, and as soon as may be, and within one year thereafter, to
12 render a final account of said trust to said county court, and said court may
13 allow such commissions and allowances to said assignee or assignees in the
14 final settlement as may be considered by the court to be just and right:
15 *Provided, however,* that all claims for the wages of any laborer or servant,
16 which have been earned within the term of three months next preceding
17 the making of such assignment, and which have been filed within said term
18 of three months after such assignment, and to which no exceptions has been

20 made, or to which exceptions have been made, and the same have been
21 adjudicated and settled by the court, shall, after the payment of the costs,
22 commissions and expenses of assignment, be preferred, and first paid to the
23 exclusion of all other demands and claims: *Provided, further*, that such
24 claims for wages of any laborer or servant shall recite upon their face that
25 they are for such wages, and when exceptions are taken to such claims, the
26 said court, in adjudicating and settling the same, shall find that the claim
27 so adjudicated and settled is for wages of such laborer or servant."

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1. Introduced by Mr. McNary, January 16, 1883, and ordered to first reading.
 2. First reading, January 16, 1883, and referred to Committee on Judiciary.
 3. Reported back, February 3, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An Act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

- 2 *General Assembly,* That section twenty (20) of an act entitled "An act to extend the
- 3 jurisdiction of county courts and to provide for the practice thereof, to fix the time of hold-
- 4 ing the same, and to repeal an act therein named," approved March 26, 1874, be amended so
- 5 as to read as follows:
- 6 "Section 20. Clark, in January, June and October."



1. Introduced by Mr. Morris, January 16, 1883, and ordered to first reading.
2. First reading, January 16, 1883, and referred to Committee on Judiciary.
3. Reported back, February 3, 1883, with recommendation that it be ordered to second reading. So ordered.

A BILL

For An Act to allow amendments to be made to indictments and informations in criminal prosecutions in courts of record.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter no bill of indictment or criminal information shall be quashed because of any technical defect therein, nor because the offense charged is not stated in the indictment or information in the language of the statute creating the offense, but the same may, at any time before a jury is impaneled, be amended upon motion of the attorney representing the prosecution, upon such terms as the court may prescribe: *Provided,* that no amendment shall be made so as to charge any defendant with an offense other than that attempted and intended to be charged by the grand jury in cases of indictment, or attempted and intended to be charged by the State's attorney or prosecuting witness in cases of informations; and for the purpose of ascertaining such intention the court shall inspect the information or indictment sought to be amended.



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1. Introduced by Mr. Morris, January 16, 1883, and ordered to first reading.
 2. First reading, January 16, 1883, and referred to Committee on Judiciary.
 3. Reported back, February 8, 1883, with recommendation that it be ordered to second reading. So ordered.
 4. Second reading February 18, 1883, amended, and ordered to third reading.
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A BILL

For An Act to allow amendments to be made to indictments and informations in criminal prosecutions in courts of record.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That hereafter no bill of indictment or criminal information shall
3 be quashed because of any formal technical defect therein, nor because the offense charged is
4 not stated in the indictment or information in the language of the statute creating the offense,
5 but the same may, at any time before a jury is impaneled, be amended upon motion of the
6 attorney representing the prosecution, upon such terms as the court may prescribe: *Pro-*
7 *vided,* that no amendment shall be made so as to charge any defendant with an offense
8 other than that attempted and intended to be charged by the grand jury in cases of indict-
9 ment, or attempted and intended to be charged by the State's attorney or prosecuting wit-
10 ness in cases of informations; and the intention of the grand jury in cases of indictments,
11 and the intention of the State's attorney or prosecuting witness in cases of information,
12 shall be ascertained by the court only from inspection of the indictment or information
13 sought to be amended.



1. Introduced by Mr. Ihora, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Appropriations.
3. Reported back January 24, 1883, and referred to Committee on Penal and Reformatory Institutions.
4. Reported back February 14, 1883, and referred to Committee on Appropriations.
5. Reported back April 12, 1883, with amendments, passage recommended and ordered to second reading.

A BILL

For An Act making an appropriation to meet the current expenses of the Southern Illinois Penitentiary for the months of April, May and June, A. D. 1883.'

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of thirty-six thousand dollars (\$36,000) be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the current expenses of the Southern Illinois Penitentiary for the months of April, May and June, A. D. 1883.

§ 2. The Auditor of Public Accounts is hereby authorized and instructed to draw his warrant on the treasurer for said sum, payable to the order of the commissioners, upon receiving the certificate of the commissioners of said penitentiary, approved by the Governor, that said money is necessary for the purposes contemplated by this act.

§ 3. Said commissioners shall file with the Auditor proper vouchers, accompanied by a certified abstract of the same, showing to whom and for what said money has been paid.

§ 4. Whereas an emergency exists, this act shall take effect from and after its passage.

AMENDMENTS RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

Amend section one by striking out the words and figures "thirty-six thousand dollars

- 2 (\$36,000)"—being line five of section one—and insert in lieu thereof the words and figures:
- 3 "Thirty-five thousand dollars (\$35,000)."
- 4 Amend by striking out the emergency clause, being all of section four of written bill.

1. Introduced by Mr. Ihorn, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Appropriations.
3. Reported back January 24, 1883, and referred to Committee on Penal and Reformatory Institutions.
4. Reported back February 14, 1883, passage recommended, and referred to Committee on Appropriations.
5. Reported back April 12, 1883, passage recommended and ordered to second reading.
6. Second reading April 25, 1883, amended and referred to Penal and Reformatory Institution Committee.
7. Reported back April 26, with amendment, passage recommended and ordered to second reading.

**AMENDMENTS PROPOSED BY THE COMMITTEE ON PENAL AND REFORMATORY
INSTITUTIONS TO SENATE BILL NO. 42.**

1. Amend by inserting after the title of the bill the following:
 - 2 "WHEREAS, The 32d General Assembly appropriated the sum of two hundred thousand dol-
 - 3 lars (\$200,000), to pay the ordinary expenses of the Southern Illinois Penitentiary, at Chester,
 - 4 until the expiration of the first fiscal quarter after the adjournment of the 32d General Assem-
 - 5 bly; and,
 - 6 WHEREAS, Said appropriation has proved insufficient, on account of a deficiency having
 - 7 occurred in the years 1879 and 1880, by reason of insufficient appropriations having been made
 - 8 by the 30th and 31st General Assemblies, for the ordinary expenses of said penitentiary; and,
 - 9 WHEREAS, Such deficiency has been paid out of the said appropriation of \$200,000 made by
 - 10 the 32d General Assembly; therefore,
 - 11 2. Amend by striking out the words and figures "thirty-six" "(36)," from line two, section one,
 - 12 (printed bill) and insert "thirty" "(30)" in place thereof.
 - 13 3. Retain emergency clause, section four, recommended to be stricken out by the committee on
 - 14 appropriations."

A BILL

For An Act making an appropriation to meet the current expenses of the Southern Illinois Penitentiary for the months of April, May and June, A. D. 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of thirty-six thousand dollars (\$36,000) be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the current expenses of the Southern Illinois Penitentiary for the months of April, May and June, A. D. 1883.

§ 2. The Auditor of Public Accounts is hereby authorized and instructed to draw his warrant on the Treasurer for said sum, payable to the order of the commissioners, upon receiving the certificate of the commissioners of said penitentiary, approved by the Governor, that said money is necessary for the purposes contemplated by this act.

§ 3. Said commissioners shall file with the Auditor proper vouchers, accompanied by a certified abstract of the same, showing to whom and for what said money has been paid.

§ 4. Whereas an emergency exists, this act shall take effect from and after its passage.

1. Introduced by Mr. Thorn, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back January 24, 1883, passage recommended, and February 14, 1883, referred to Committee on Appropriations.
4. Reported back with amendments, April 13, 1883, passage recommended and April 25, 1883, referred to Committee on Penal and Reformatory Institutions.
5. Reported back, with amendments, April 26, 1883, passage recommended and ordered to second reading.
6. Second reading May 3, 1883, and ordered to third reading.

A BILL

For An Act making an appropriation to meet the current expenses of the Southern Illinois Penitentiary for the months of April, May and June, A. D. 1883.

WHEREAS, The 32d General Assembly appropriated the sum of two hundred thousand dollars (\$200,000), to pay the ordinary expenses of the Southern Illinois Penitentiary, at Chester, until the expiration of the first fiscal quarter after the adjournment of the 33d General Assembly; and,

WHEREAS, Said appropriation has proved insufficient, on account of a deficiency having occurred in the years 1879 and 1880, by reason of insufficient appropriations having been made by the 30th and 31st General Assemblies, for the ordinary expenses of said penitentiary; and,

WHEREAS, Such deficiency has been paid out of the said appropriation of \$200,000 made by the 32d General Assembly; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of thirty thousand dollars (\$30,000) be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the current expenses of the Southern Illinois Penitentiary, for the months of April, May and June, A. D. 1883.

§ 2. The Auditor of Public Accounts is hereby authorized and instructed to draw his warrant on the Treasurer for said sum, payable to the order of the commissioners, upon receiving the certificate of the commissioners of said penitentiary, approved by the Governor, that said money is necessary for the purposes contemplated by this act.

§ 3. Said commissioners shall file with the Auditor proper vouchers, accompanied by a certified abstract of the same, showing to whom and for what said money has been paid.

§ 4. Whereas an emergency exists, this act shall take effect from and after its passage.

1. Introduced by Mr. Ihorn, January 16, 1883, and ordered to first reading.
2. First reading January 16, 1883, and referred to Committee on Appropriations.
3. Reported back January 24, 1883, and referred to Committee on Penal and Reformatory Institutions.
4. Reported back March 23, 1883, and referred to Committee on Appropriations.
5. Reported back April 12, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act making an appropriation to meet the ordinary expenses of the Southern Illinois Penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the sum of one hundred and fifty thousand dollars,
3 or so much thereof as may be necessary, be and the same is hereby appro-
4 priated out of any money in the treasury not otherwise appropriated, for
5 the purpose of defraying the ordinary expenses of the Southern Illinois
6 Penitentiary. And the Auditor of Public Accounts is hereby authorized
7 and required to draw his warrant on the State Treasurer for the money
8 herein appropriated, payable to the order of the commissioners of said pen-
9 itentiary, in sums not exceeding ten thousand dollars (\$10,000) at any one time,
10 on receiving the certificate of said board of commissioners, approved by the
11 Governor, that such money is necessary for the purposes of this act.

§ 2 After said board of commissioners shall have drawn any of the money
2 herein appropriated, they shall not draw or receive any more thereof so
3 long as there shall remain in their hands an amount unexpended, exceeding
4 the sum of one thousand dollars (\$1,000), and after having drawn any sum,

5 they shall file proper vouchers, accompanied by an abstract of the same
6 properly certified by said commissioners and approved by the Governor,
7 showing in what manner the sum previously drawn has been expended.

1. Reported to House May 8, 1883.
2. First reading May 16, 1883 and referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act making an appropriation to meet the ordinary expenses of the
Southern Illinois Penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 General Assembly: That the sum of one hundred and fifty thousand
3 dollars, or so much thereof as may be necessary, be, and the same is hereby
4 appropriated out of any money in the treasury not otherwise appropriated, for
5 the purpose of defraying the ordinary expenses of the Southern Illinois
6 Penitentiary; and the Auditor of Public Accounts is hereby authorized and
7 required to draw his warrant on the State Treasurer for the money herein ap-
8 propriated, payable to the order of the Commissioners of said penitentiary,
9 in sums not exceeding ten thousand dollars (\$10,000), at any one time, on re-
10 ceiving the certificate of said board of commissioners, approved by the Gov-
11 ernor, that such money is necessary for the purposes of this act.

12 § 2. After said board of commissioners shall have drawn any of the
13 money herein appropriated, they shall not draw or receive any more thereof
14 so long as there shall remain in their hands an amount unexpended ex-
15 ceeding the sum of one thousand dollars (\$1,000), and, after having drawn
16 any sum, they shall file proper vouchers, accompanied by an abstract
17 of the same, properly certified by said commissioners and approved by the
18 Governor, showing in what manner the sum previously drawn has been ex-
19 pended.

1. Introduced by Mr. Berggren, January 16, 1883, and ordered to first reading.
2. First reading, January 18, 1883, and referred to Committee on Fees and Salaries.
3. Reported back February 1, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections nineteen (19) and thirty (30) of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874; also to amend section forty-one (41) of said act as amended by an act approved and in force May 17, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That sections nineteen (19) and thirty (30) of an act entitled "An act concerning fees
3 and salaries, and to classify the several counties of this State with reference thereto," approved
4 March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force
5 July 1, 1874; also section forty-one (41) of said act, as amended by an act approved and in
6 force May 17, 1877, be and the same are hereby amended so as to read, respectively, as follows:

7 § 19. For serving a writ or summons on each defendant, in counties of first class, seventy-
8 five cents; in counties of second class, sixty-five cents; in third class, fifty cents.

9 For serving chancery summons and copy, or writ of injunction and copy, in counties of first
10 class, one dollar; second class, seventy-five cents; third class, fifty cents.

11 For taking special bail, twenty-five cents in each county.

12 For serving a subpoena on each witness, in counties of first class, fifty cents; second and third
13 class, thirty-five cents.

14 For advertising property for sale, seventy-five cents in all counties.

15 For returning each writ or other process, ten cents in all counties. Mileage for each mile of
16 necessary travel to serve any such writ or process as aforesaid, calculating from the
17 place of holding the court to the place of residence of the defendant or witness, five cents each
18 way.

19 For summoning each juror, in counties of first class, fifty cents; second class, thirty cents;
20 third class, twenty cents, with five cents mileage each way in all counties.

21 For serving notice of executions, or levying an execution or serving attachment, in counties of
22 first class, seventy-five cents; in second class, sixty-five cents; in third class, fifty cents, and
23 mileage five cents each way in all counties.

24 For taking possession of and removing property levied on, the officer shall be allowed to tax
25 the actual costs of such possession or removal.

26 For summoning commissioners to set off a homestead or appraisers to appraise personal prop-
27 erty, including mileage and other necessary services pertaining thereto, in counties of first and
28 second class, two dollars; in third class, one dollar and fifty cents.

29 For serving and returning a *scire facias* to revive a judgment, foreclose a mortgage, or against
30 bail, in counties of first class, seventy-five cents; in second class, sixty-five cents; in third class,
31 fifty cents.

32 For committing each prisoner to jail, in counties of first class, fifty cents; second class, fifty
33 cents; third class, thirty cents.

34 For discharging each prisoner from jail, in counties of first and second class, fifty cents; third
35 class, thirty cents.

36 For detaining each prisoner, such compensation to cover the actual cost as may be fixed by the
37 county board, but such compensation shall not be considered a part of the fees of the office.

38 For attending before a judge with a prisoner, on a writ of *habeas corpus*, in counties of first
39 and second class, two dollars and fifty cents per day; third class, two dollars per day.

40 For each mile of necessary travel in taking such prisoner before the judge, as aforesaid, five
41 cents each way.

42 For serving writ of possession, with the aid of *posse comitatus*, two dollars in all counties.

43 For serving same, without such aid, one dollar in all counties; mileage in either case, for each
44 mile of necessary travel, five cents each way.

45 For executing a writ of *ad quod damnum*, attending the inquest and returning the writ with
46 the verdict of the jury, two dollars in all counties.

47 For attending the circuit and county courts, to be allowed and paid out of the county treasury,
48 three dollars per day, and two dollars per day, when attending county court, sitting for probate
49 business, at request of judge, the time to be certified to by the judge.

50 For executing and acknowledging a deed on sale of real estate, in counties of first class, one
51 dollar and fifty cents; second class, one dollar and twenty-five cents; third class, one dollar.

85 For conveying any person to or from any of the charitable institutions of this State, when
 86 properly committed by some competent authority, twenty-five cents per mile.

87 For conveying a convict from the penitentiary to the county jail, when required by law, thirty
 88 cents per mile.

89 For attending Supreme Court, per day, three dollars.

90 In addition to the above fees, there shall be allowed to the several sheriffs in this State, a com-
 91 mission of three per centum on all sales of real and personal estate which shall be made by vir-
 92 tue of any execution, or any decree of court of chancery, where the money arising from such
 93 sales shall not exceed two hundred dollars; but in all cases where the amount of such sale shall
 94 exceed that sum, then one and one-half per cent. commission on the excess only shall be allowed:
 95 *Provided*, that in all cases where the execution shall be settled by the parties, replevied, stop-
 96 ped by injunction or paid, or where the property levied upon shall not be actually sold, the
 97 sheriff shall be allowed his fee for levying and mileage, together with half the commission on
 98 all money collected by him which he would be entitled to if the same was made by sale on
 99 execution; and no other fees or compensation whatever shall be allowed on any execution,
 100 except the necessary expenses for keeping personal property, to be ascertained and allowed by
 101 the court out of which the same shall be issued. In all criminal cases where the defendant
 102 shall be acquitted or otherwise legally discharged, without payment of costs, the sheriff shall
 103 be paid such fees from the county treasury: *Provided*, that no such fees shall be paid to the
 104 sheriff from the county treasury when the fees collected by him during such year shall equal
 105 the compensation or salary allowed him by the county board: *And, provided, further*, that no
 106 more of such fees shall in any case be paid from the county treasury than shall be sufficient,
 107 with the fees collected, to make the salary or compensation of said sheriff. In all cases where
 108 any of the sheriffs of this State shall be required by law to execute any sentence of punishment,
 109 other than imprisonment, for which no fee is allowed by this act, it shall be the duty of the
 110 county board of the proper county to allow a reasonable compensation for the same, to be paid
 111 out of the county treasury, not exceeding one hundred dollars. It shall be the duty of each
 112 sheriff entitled to mileage under this act, to indorse on each writ, summons, subpoena, or other
 113 process that he may execute, the distance he may travel to execute the same, ascertaining the
 114 distance and the charge properly allowable therefor, in conformity with the foregoing regula-
 115 tions.

116 § 30. Each commissioner appointed to make partition of real estate, or to assign dower,
 117 except county surveyors, shall receive two dollars per day for each day necessarily employed as

52 For making certificate of sale, and making and filing duplicate, in counties of first class, for
53 each, sixty cents; second class, fifty cents; third class, forty cents.

54 For making certificate of redemption, seventy-five cents, in all counties.

55 For certificate of levy and filing, fifty cents in all counties, and the fee for recording shall be
56 advanced by plaintiff in execution and charged up as costs.

57 For taking all bonds on legal process, in counties of first class, seventy cents; second class,
58 sixty-five cents; third class, fifty cents.

59 For executing *captias* in criminal cause, where the offense is infamous, in counties of first and
60 second class, three dollars; third class, one dollar; and mileage for each mile of necessary travel,
61 five cents each way.

62 For executing *captias*, where offense is not infamous, in counties of first class, seventy-five
63 cents; second class, sixty-five cents; third class, fifty cents; mileage for each mile of necessary
64 travel, five cents each way.

65 For executing requisitions from other States, the same compensation as in executing *captias* in
66 criminal causes, when the offense is infamous.

67 For conveying each prisoner from his own county to the jail of a foreign county, per mile, for
68 going only, twenty-five cents.

69 For committing each prisoner to jail under the laws of the United States, to be paid by the
70 marshal or other person requiring his confinement, fifty cents in all counties.

71 For dieting such prisoner, per day, in counties of the first class, seventy-five cents; in second
72 class, sixty-five cents; in third class, forty-five cents; to be paid by the marshal or other persons
73 requiring his confinement.

74 For discharging such prisoner, in counties of first and second class, fifty cents; in third class,
75 thirty cents.

76 For carrying convicts to the penitentiary or the reform school, from any county, the following
77 fees, payable out of the State Treasury, viz: Where only one convict is conveyed, at and after the
78 rate of twenty-five cents for each and every mile necessarily traveled in going to the penitentiary
79 or the reform school, from the place of conviction; where two convicts are conveyed by the said
80 sheriff at the same time, he shall receive at and after the rate of twenty-five cents per mile for
81 first, and fifteen cents per mile for the second convict; where more than two are conveyed at
82 the same time to the penitentiary or the reform school, as aforesaid, he shall be allowed twenty-
83 five cents per mile for the first, fifteen cents per mile for the second, and ten cents per mile for
84 each of the residue.

118 such commissioner, to be taxed as costs in the suit, and commissioners to make sales in such
119 cases shall be allowed the same fees as masters in chancery.

120 Each commissioner summoned to set off a homestead, in proceedings on execution, shall
121 receive two dollars per day for each day necessarily employed as such commissioner, to be taxed
122 as costs in the cause.

123 Each appraiser summoned to appraise personal property scheduled by the debtor shall receive
124 one dollar and fifty cents per day, for each day necessarily employed as such appraiser, to be
125 advanced by the party at whose instance the levy is made, but if the property scheduled shall,
126 on appraisement being made, exceed in value the amount exempt by law, then such fee shall be
127 recovered off of the debtor and taxed as costs in the cause.

128 § 41. The fees of constables in counties of the first and second class, for any service to be
129 rendered by them, shall be as follows:

130 For advertising property for sale, fifty cents.

131 For attending trial and waiting on a jury, fifty cents.

132 For each day's attendance in the circuit court when required, to be paid out of the county
133 treasury, two dollars and fifty cents.

134 For taking and approving replevin bond, fifty cents.

135 For taking and approving forthcoming bond or special bail, fifty cents.

136 Commissions on sales not exceeding ten dollars, ten per cent., and on the excess of that
137 amount, five per cent.; and in cases when an execution in the hands of any constable shall be
138 settled by the parties, or paid, or when the property levied on shall not be sold, by reason of
139 such settlement or payment, the constable shall be allowed five per cent. on the first ten dol-
140 lars, and two and one-half per cent. on the excess. Constables shall be allowed reasonable
141 charges, to be fixed by the justice, for removing and taking care of property levied on by them,
142 which in no case shall exceed the actual expense incurred.

143 For mileage when serving a warrant, summons, subpoena or other process, five cents per mile,
144 each way, the distance to be computed from the office of the justice to the residence of each
145 person served.

146 For mileage in taking a person to jail, from the office of the justice, ten cents per mile, and
147 all actual and necessary expenses incurred, to be paid out of the county treasury.

148 For serving and returning a summons, thirty-five cents; warrant for each person served, fifty
149 cents.

- 150 For serving and returning a writ of replevin or attachment, for each person served, fifty
151 cents.
- 152 For serving a subpoena, for each person served, twenty-five cents.
- 153 For serving oaths, fifty cents.
- 154 For serving writ of restitution, in cases of forcible entry and detainer, one dollar and neces-
155 sary expenses of assistants, to be determined by the justice.
- 156 For serving and returning each execution, fifty cents.
- 157 For serving mittimus, fifty cents.
- 158 For serving a warrant on appraisers, in cases of estrays, twenty-five cents.
- 159 For summoning appraisers to appraise personal property, when scheduled by the debtor, in-
160 cluding mileage and other necessary services pertaining thereto, one dollar.

1. Reported to House, February 21, 1883.
2. First reading, March 10, 1883, and referred to Committee on Fees and Salaries.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.

A BILL

For An Act to amend sections nineteen (19) and thirty (30), of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874; also to amend section forty-one (41), of said act, as amended by an act approved and in force May 17, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections nineteen (19) and thirty (30), of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874; also section forty-one (41), of said act, as amended by an act approved and in force May 17, 1877, be and the same are hereby amended so as to read, respectively, as follows:

"§ 19. For serving a writ or summons on each defendant, in counties of first class, seventy-five cents; in counties of second class, sixty-five cents; in third class, fifty cents.

For serving chancery summons and copy, or writ of injunction and copy, in counties of first class, one dollar; second class, seventy-five cents; third class, fifty cents.

For taking special bail, twenty-five cents in each county.

For serving a subpoena on each witness, in counties of first class, fifty cents; second and third class, thirty-five cents.

For advertising property for sale, seventy-five cents in all counties.

For returning each writ or other process, ten cents in all counties. Mileage for each mile of necessary travel to serve any such writ or process as aforesaid, calculating from the place of holding the court to the place of residence of the defendant or witness, five cents each way.

- 19 For summoning each juror, in counties of first class, fifty cents; second class, thirty cents;
 20 third class, twenty cents, with five cents mileage each way in all counties.
- 21 For serving notice of executions, or levying an execution or serving attachment, in counties of
 22 first class, seventy-five cents; in second class, sixty-five cents; in third class, fifty cents, and
 23 mileage five cents each way in all counties.
- 24 For taking possession of and removing property levied on, the officer shall be allowed to tax
 25 the actual costs of such possession or removal.
- 26 For summoning commissioners to set off a homestead or appraisers to appraise personal prop-
 27 erty, including mileage and other necessary services pertaining thereto, in counties of first and
 28 second class, two dollars; in third class, one dollar and fifty cents.
- 29 For serving and returning a *actio facias* to revive a judgment, foreclose a mortgage, or against
 30 bail, in counties of first class, seventy-five cents; in second class, sixty-five cents; in third class,
 31 fifty cents.
- 32 For committing each prisoner to jail, in counties of first class, fifty cents; second class, fifty
 33 cents; third class, thirty cents.
- 34 For discharging each prisoner from jail, in counties of first and second class, fifty cents; third
 35 class, thirty cents.
- 36 For dieting each prisoner, such compensation to cover the actual cost as may be fixed by the
 37 county board, but such compensation shall not be considered a part of the fees of the office.
- 38 For attending before a judge with a prisoner, on a writ of *Habeas corpus*, in counties of first
 39 and second class, two dollars and fifty cents per day; third class, two dollars per day.
- 40 For each mile of necessary travel in taking such prisoner before the judge, as aforesaid, five
 41 cents each way.
- 42 For serving writ of possession, with the aid of *posse committatus*, two dollars in all counties.
- 43 For serving same, without such aid, one dollar in all counties; mileage in either case, for each
 44 mile of necessary travel, five cents each way.
- 45 For executing a writ of *ad quod damnum*, attending the inquest and returning the writ with
 46 the verdict of the jury, two dollars in all counties.
- 47 For attending the circuit and county courts, to be allowed and paid out of the county treasury,
 48 three dollars per day, and two dollars per day, when attending county court, sitting for probate
 49 business, at request of judge, the time to be certified to by the judge.
- 50 For executing and acknowledging a deed on sale of real estate, in counties of first class, one
 51 dollar and fifty cents; second class, one dollar and twenty-five cents; third class, one dollar.

52 For making certificate of sale, and making and filing duplicate, in counties of first class, for
53 each, sixty cents; second class, fifty cents; third class, forty cents.

54 For making certificate of redemption, seventy-five cents, in all counties.

55 For certificate of levy and filing, fifty cents in all counties, and the fee for recording shall be
56 advanced by plaintiff in execution and charged up as costs.

57 For taking all bonds on legal process, in counties of first class, seventy cents; second class,
58 sixty-five cents; third class, fifty cents.

59 For executing *capias* in criminal cause, where the offense is infamous, in counties of first and
60 second class, three dollars; third class, one dollar; and mileage for each mile of necessary travel,
61 five cents each way.

62 For executing *capias*, where offense is not infamous, in counties of first class, seventy-five
63 cents; second class, sixty-five cents; third class, fifty cents; mileage for each mile of necessary
64 travel, five cents each way.

65 For executing requisitions from other States, the same compensation as in executing *capias* in
66 criminal causes, where the offense is infamous.

67 For conveying each prisoner from his own county to the jail of a foreign county, per mile, for
68 going only, twenty-five cents.

69 For committing each prisoner to jail under the laws of the United States, to be paid by the
70 marshal or other person requiring his confinement, fifty cents in all counties.

71 For dieting such prisoner, per day, in counties of the first class, seventy-five cents; in second
72 class, sixty-five cents; in third class, forty-five cents; to be paid by the marshal or other persons
73 requiring his confinement.

74 For discharging such prisoner, in counties of first and second class, fifty cents; in third class,
75 thirty cents.

76 For carrying convicts to the penitentiary or the reform school, from any county, the following
77 fees, payable out of the State Treasury, viz: Where only one convict is conveyed, at and after the
78 rate of twenty-five cents for each and every mile necessarily traveled in going to the penitentiary
79 or the reform school, from the place of conviction; where two convicts are conveyed by the said
80 sheriff at the same time, he shall receive at and after the rate of twenty-five cents per mile for
81 first, and fifteen cents per mile for the second convict; where more than two are conveyed at
82 the same time to the penitentiary or the reform school, as aforesaid, he shall be allowed twenty-
83 five cents per mile for the first, fifteen cents per mile for the second, and ten cents per mile for
84 each of the residue.

52 For making certificate of sale, and making and filing duplicate, in counties of first class, for
53 each, sixty cents; second class, fifty cents; third class, forty cents.

54 For making certificate of redemption, seventy-five cents, in all counties.

55 For certificate of levy and filing, fifty cents in all counties, and the fee for recording shall be
56 advanced by plaintiff in execution and charged up as costs.

57 For taking all bonds on legal process, in counties of first class, seventy cents; second class,
58 sixty-five cents; third class, fifty cents.

59 For executing *capias* in criminal cause, where the offense is infamous, in counties of first and
60 second class, three dollars; third class, one dollar; and mileage for each mile of necessary travel,
61 five cents each way.

62 For executing *capias*, where offense is not infamous, in counties of first class, seventy-five
63 cents; second class, sixty-five cents; third class, fifty cents; mileage for each mile of necessary
64 travel, five cents each way.

65 For executing requisitions from other States, the same compensation as in executing *capias* in
66 criminal causes, where the offense is infamous.

67 For conveying each prisoner from his own county to the jail of a foreign county, per mile, for
68 going only, twenty-five cents.

69 For committing each prisoner to jail under the laws of the United States, to be paid by the
70 marshal or other person requiring his confinement, fifty cents in all counties.

71 For dieting such prisoner, per day, in counties of the first class, seventy-five cents; in second
72 class, sixty-five cents; in third class, forty-five cents; to be paid by the marshal or other persons
73 requiring his confinement.

74 For discharging such prisoner, in counties of first and second class, fifty cents; in third class,
75 thirty cents.

76 For carrying convicts to the penitentiary or the reform school, from any county, the following
77 fees, payable out of the State Treasury, viz: Where only one convict is conveyed, at and after the
78 rate of twenty-five cents for each and every mile necessarily traveled in going to the penitentiary
79 or the reform school, from the place of conviction; where two convicts are conveyed by the said
80 sheriff at the same time, he shall receive at and after the rate of twenty-five cents per mile for
81 first, and fifteen cents per mile for the second convict; where more than two are conveyed at
82 the same time to the penitentiary or the reform school, as aforesaid, he shall be allowed twenty-
83 five cents per mile for the first, fifteen cents per mile for the second, and ten cents per mile for
84 each of the residue.

85 For conveying any person to or from any of the charitable institutions of this State, when
 86 properly committed by some competent authority, twenty-five cents per mile.

87 For conveying a convict from the penitentiary to the county jail, when required by law, thirty
 88 cents per mile.

89 For attending Supreme Court, per day, three dollars.

90 In addition to the above fees, there shall be allowed to the several sheriffs in this State, a com-
 91 mission of three per centum on all sales of real and personal estate which shall be made by vir-
 92 tue of any execution, or any decree of court of chancery, where the money arising from such
 93 sales shall not exceed two hundred dollars; but in all cases where the amount of such sale shall
 94 exceed that sum, then one and one-half per cent. commission on the excess only shall be allowed:
 95 *Provided*, that in all cases where the execution shall be settled by the parties, replevied, stop-
 96 ped by injunction or paid, or where the property levied upon shall not be actually sold, the
 97 sheriff shall be allowed his fee for levying and mileage, together with half the commission on
 98 all money collected by him which he would be entitled to if the same was made by sale on
 99 execution; and no other fees or compensation whatever shall be allowed on any execution,
 100 except the necessary expenses for keeping personal property, to be ascertained and allowed by
 101 the court out of which the same shall be issued. In all criminal cases where the defendant
 102 shall be acquitted or otherwise legally discharged, without payment of costs, the sheriff shall
 103 be paid such fees from the county treasury: *Provided*, that no such fees shall be paid to the
 104 sheriff from the county treasury when the fees collected by him during such year shall equal
 105 the compensation or salary allowed him by the county board: *And, provided, further*, that no
 106 more of such fees shall in any case be paid from the county treasury than shall be sufficient,
 107 with the fees collected, to make the salary or compensation of said sheriff. In all cases where
 108 any of the sheriffs of this State shall be required by law to execute any sentence of punishment,
 109 other than imprisonment, for which no fee is allowed by this act, it shall be the duty of the
 110 county board of the proper county to allow a reasonable compensation for the same, to be paid
 111 out of the county treasury, not exceeding one hundred dollars. It shall be the duty of each
 112 sheriff entitled to mileage under this act, to indorse on each writ, summons, subpoena, or other
 113 process that he may execute, the distance he may travel to execute the same, ascertaining the
 114 distance and the charge properly allowable therefor, in conformity with the foregoing regula-
 115 tions.

116 § 30. Each commissioner appointed to make partition of real estate, or to assign dower,
 117 except county surveyors, shall receive two dollars per day for each day necessarily employed as

118 such commissioner, to be taxed as costs in the suit, and commissioners to make sales in such
119 cases shall be allowed the same fees as masters in chancery.

120 Each commissioner summoned to set off a homestead, in proceedings on execution, shall
121 receive two dollars per day for each day necessarily employed as such commissioner, to be taxed
122 as costs in the cause.

123 Each appraiser summoned to appraise personal property scheduled by the debtor shall receive
124 one dollar and fifty cents per day, for each day necessarily employed as such appraiser, to be
125 advanced by the party at whose instance the levy is made, but if the property scheduled shall,
126 on appraisal being made, exceed in value the amount exempt by law, then such fee shall be
127 recovered off of the debtor and taxed as costs in the cause.

128 § 41. The fees of constables in counties of the first and second class, for any service to be
129 rendered by them, shall be as follows:

130 For advertising property for sale, fifty cents.

131 For attending trial and waiting on a jury, fifty cents.

132 For each day's attendance in the circuit court when required, to be paid out of the county
133 treasury, two dollars and fifty cents.

134 For taking and approving replevin bond, fifty cents.

135 For taking and approving forthcoming bond or special bail, fifty cents.

136 Commissions on sales not exceeding ten dollars, ten per cent, and on the excess of that
137 amount, five per cent; and in cases when an execution in the hands of any constable shall be
138 settled by the parties, or paid, or when the property levied on shall not be sold, by reason of
139 such settlement or payment, the constable shall be allowed five per cent. on the first ten dol-
140 lars, and two and one-half per cent. on the excess. Constables shall be allowed reasonable
141 charges, to be fixed by the justice, for removing and taking care of property levied on by them,
142 which in no case shall exceed the actual expense incurred.

143 For mileage when serving a warrant, summons, subpoena or other process, five cents per mile,
144 each way, the distance to be computed from the office of the justice to the residence of each
145 person served.

146 For mileage in taking a person to jail, from the office of the justice, ten cents per mile, and
147 all actual and necessary expenses incurred, to be paid out of the county treasury.

148 For serving and returning a summons, thirty-five cents; warrant for each person served, fifty
149 cents.

- 150 For serving and returning a writ of replevin or attachment, for each person served, fifty
- 151 cents.
- 152 For serving a subpoena, for each person served, twenty-five cents.
- 153 For serving venire, fifty cents.
- 154 For serving writ of restitution, in cases of forcible entry and detainer, one dollar and neces-
- 155 sary expenses of assistants, to be determined by the justice.
- 156 For serving and returning each execution, fifty cents.
- 157 For serving mittimus, fifty cents.
- 158 For serving a warrant on appraisers, in cases of strays, twenty-five cents.
- 159 For summoning appraisers to appraise personal property, when scheduled by the debtor, in-
- 160 cluding mileage and other necessary services pertaining thereto, one dollar.

1. Introduced by Mr. Clark, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Judiciary.
3. Reported back February 9, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections two (2), four (4), and eighteen (18), of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That sections two, four and eighteen, of an act entitled
3 "An act concerning corporations," approved April 18, 1872, in force July 1,
4 1872, be amended so as to read as follows:
5 "Section 2. Whenever any number of persons, not less than three, nor
6 more than seven, shall propose to form a corporation under this act, they
7 shall make a statement to that effect under their hands, and duly
8 acknowledged before some officer in the manner provided for the acknowledg-
9 ment of deeds, setting forth the name of the proposed corporation, *which*
10 *name shall include the word, "corporation,"* the object for which it is to be
11 formed, its capital stock, the number of share of which such stock shall
12 consist, the location of the principal office, and the duration of the corpor-
13 ation, not exceeding, however, ninety-nine years; which statement shall be
14 filed in the office of Secretary of State. The Secretary of State shall there-
15 upon issue to such persons a license as commissioners to open books for
16 subscription to the capital stock of said corporation at such times and places
17 as they may determine; but no license shall be issued to two companies
18 having the same name, *and no corporation organized under this law shall*
19 *become a stock holder in any other corporation.*

30 "Section 4. The commissioners shall make a full report of their proceed-
 31 ings, including therein a copy of the notice provided for in the foregoing
 32 section, a copy of the subscription list, and the names of the directors or
 33 managers elected and their respective terms of office, to which report shall
 34 be appended an affidavit of at least a majority of the commissioners, *and of*
 35 *the subscribers representing a majority of the capital stock*, that such report is
 36 true in substance, and in fact, *and that they verily believe that each subscriber*
 37 *to the capital stock of such proposed corporation is able to pay the amount of*
 38 *his subscription*, which report and affidavit shall be filed in the office of the
 39 Secretary of State. The Secretary of State shall thereupon issue a cer-
 40 tificate of the complete organization of the corporation, making a part
 41 thereof a copy of all papers filed in his office in and about the organization
 42 of the corporation, and duly authenticated under his hand and seal of
 43 State, and the same shall be recorded in a book for that purpose, in the
 44 office of the recorder of deeds of the county where the principal office of
 45 such company is located. Upon the recording of such copy the corporation
 46 shall be deemed fully organized, and may proceed to business. Unless such
 47 company shall be organized and actually engage in the business for which
 48 organized, within *one* year after the date of such license, then such license
 49 shall be deemed revoked, and all proceedings thereunder void.

40 "Section 18. If any person or persons being, or pretending to be an officer
 41 or agent, or board of directors, or managers, of any stock corporation, or
 42 pretended stock corporation, shall assume to exercise corporate powers, or
 43 use the name of any such corporation, or pretended corporation, without
 44 complying with the provisions of this act, before all stock named in the
 45 articles of incorporation shall be subscribed in good faith, *and before the*
 46 *certificate of the Secretary of State is recorded, as herein before provided for*, such
 47 person or persons shall be jointly and severally liable for all the debts and
 48 liabilities of such corporation or pretended corporation, *and may be fined*
 49 *in any sum not exceeding one hundred dollars, or imprisoned in the*
 50 *county jail not exceeding six months, or both, in the discretion of the court."*

AMENDMENTS TO SENATE BILL NO. 45, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend by inserting after the word, "shares," in the 16th line of section 1, the words "and amount of each share."

2. Amend by inserting after the word, "statement," in line 19 of section 1 the following:

"Shall be made in accordance with the following form, to-wit:

"STATE OF ILLINOIS, }
".....County. } ss.

"To....., Secretary of State:

"We, the undersigned.....

.....

"propose to form a corporation under an act of the General Assembly of the

"State of Illinois, entitled "An act concerning corporations," approved April

"18, 1872, and all acts amendatory thereof; and for the purposes of such

"organization, we, hereby state as follows, to-wit:

"1. The name of such corporation is.....

"2. The object for which it is formed is.....

"3. The capital stock shall be.....

"4. The amount of each share is.....

"5. The number of shares.....

"6. The location of the principal office is in....., in the

"county of....., State of Illinois.

"7. The duration of the corporation shall be..... years; which state-

ment."

3. Amend by adding to section 2, the following: "Nor shall any name be

"assumed or adopted by any corporation similar to, or liable to be mistaken

"for, the name of any other corporation organized under the laws of this

"State, or which shall have filed with the Secretary of State a certified

"copy of its certificate of organization under the laws of any other State. The

29 "fee for the license provided for in this section shall be fifty dollars, and
30 "shall in all cases be paid in advance, and shall be in full for all papers in
31 "and about the organization of the corporation."

1. Introduced by Mr. Clark, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Judiciary.
3. Reported back February 9, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 1, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend sections two (2), four (4) and eighteen (18) of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That sections two, three, four and eighteen of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872, be amended so as to read as follows:

"Section 2. Whenever any number of persons, not less than three, nor more than seven, shall propose to form a corporation under this act, they shall make a statement to that effect, under their hand, and duly acknowledged before some officer in the manner provided for the acknowledgment of deeds, setting forth the name of the proposed corporation, *which name shall include the word "corporation,"* the object for which it is to be formed, its capital stock, the number of shares and amount of each share of which such stock shall consist, the location of the principal office, and the duration of the corporation, not exceeding, however, ninety-nine years; which statement shall be made in accordance with the following form, to-wit:

STATE OF ILLINOIS, }
County. } *ss.*

To.....Secretary of State:

We, the undersigned.....

.....

20 propose to form a corporation under an act of the General Assembly of the
 21 State of Illinois, entitled 'An act concerning corporations,' approved April
 22 18. 1872, and all acts amendatory thereof; and for the purposes of such or-
 23 ganization, we hereby state as follows, to-wit:

- 24 1. The name of such corporation is
- 25 2. The object for which it is formed is
- 26 3. The capital stock shall be
- 27 4. The amount of each share is
- 28 5. The number of shares
- 29 6. The location of the principal office is in in the
 30 county of, State of Illinois.

31 7. The duration of the corporation shall be years; which statement
 32 shall be filed in the office of the Secretary of State. The Secretary of State
 33 shall thereupon issue to such persons a license as commissioners to open books
 34 for subscription to the capital stock of said corporation, at such times and
 35 places as they may determine; but no license shall be issued to two companies
 36 having the same name, *and no corporation organized under this law shall be*
 37 *com: a stock holder in any other corporation*, nor shall any name be assumed
 38 or adopted by any corporation similar to, or liable to be mistaken for, the
 39 name of any other corporation organized under the laws of this State, or
 40 which shall have filed with the Secretary of State a certified copy of its cer-
 41 tificate of organization under the laws of any other State. The fee for the
 42 license provided for in this section shall be fifty dollars, and shall in all
 43 cases be paid in advance, and shall be in full for all papers in and about the
 44 organization of the corporation. Upon the filing by any corporation organ-
 45 ized under the laws of any other State, of a certified copy of its certificate
 46 of organization, the Secretary of State shall issue to such corporation a cer-
 47 tificate thereof the fee for which shall be the same as is required by this
 48 section of corporations, organized under the laws of this State.

49 "Section 3. As soon as may be, after the capital stock shall be fully sub-
 50 scribed, the commissioners shall convene a meeting of the subscribers for the
 51 purpose of electing directors or managers, and the transaction of such other

59 business as shall come before them. Notice thereof shall be given by de-
 53 positing in the postoffice, properly addressed to each subscriber, at least ten
 54 days before the time fixed, a written or printed notice, stating the object,
 55 time and place of such meeting, and the giving of such notice, herein pro-
 56 vided for, shall in no case be waived. In all elections for directors or man-
 57 agers of corporations, organized under this act, every subscriber or stock
 58 holder shall have the right to vote in person, or by proxy, for the number
 59 of shares owned or subscribed by him, for as many persons as there are
 60 directors or managers to be elected, or to cumulate such shares, and give
 61 one candidate as many votes as the number of directors or managers multi-
 62 plied by the number of his shares of stock, shall equal, or to distribute
 63 them on the same principal among as many candidates as he shall think fit;
 64 and such directors or managers, shall not be elected in any other manner,
 65 nor for less than one nor more than three years. It shall be lawful for any
 66 such corporation, by resolution of the stockholders, to divide its board of
 67 directors or managers into three classes, numbered consecutively, the term
 68 of office of the first class to expire on the day of the annual election of said
 69 company then next ensuing; the second class one year thereafter, and the
 70 third-class two years thereafter. At each annual election after such classi-
 71 fication, the stock holders of such company, shall elect for a term of three
 72 years, a number of directors or managers, equal to the number in the class
 73 whose term expires on the day of such election. All other vacancies to be
 74 filled in accordance with the by-laws of the corporation.

75 'Section 4. The commissioners shall make a full report of their proceed-
 76 ings, including therein a copy of the notice provided for in the foregoing
 77 section, a copy of the subscription list, and the names of the directors or
 78 managers elected and their respective terms of office, to which report shall
 79 be appended an affidavit of at least a majority of the commissioners, *and of*
 80 *the subscribers representing a majority of the capital stock*, that such report is
 81 true in substance, and in fact, *and that they verily believe that each subscriber*
 82 *to the capital stock of such proposed corporation is able to pay the amount of*
 83 *his subscription*, which report and affidavit shall be filed in the office of the

84 Secretary of State. The Secretary of State shall thereupon issue a certifi-
85 cate of the complete organization of the corporation, making a part thereof
86 a copy of all papers filed in his office in and about the organization of the
87 corporation, and duly authenticated under his hand and seal of State, and
88 the same shall be recorded in a book for that purpose, in the office of the
89 recorder of deeds of the county where the principal office of such company
90 is located. Upon the recording of such copy the corporation shall be deem-
91 ed fully organized, and may proceed to business. Unless such company shall
92 be organized and actually engage in the business for which organized,
93 within *one* year after the date of such license, then such license shall be
94 deemed revoked, and all proceedings thereunder void.

95 "Section 18. If any person or persons being, or pretending to be an officer
96 or agent, or board of directors, or managers, of any stock corporation, or
97 pretended stock corporation, shall assume to exercise corporate power, or
98 use the name of any such corporation, or pretended corporation, without
99 complying with the provisions of this act, before all stock named in the
100 articles of incorporation shall be subscribed in good faith, *and before the*
101 *certificate of the Secretary of State is recorded, as herein before provided for,*
102 such person or persons shall be jointly and severally liable for all the
103 debts and liabilities of such corporation or pretended corporation, *and may*
104 *be fined in any sum not exceeding one hundred dollars, or imprisoned in the*
105 *county jail not exceeding six months, or both, in the discretion of the court."*

1. Reported to House March 29, 1883.
2. First reading April 7, 1883, and referred to Committee on Corporations.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 19, 1883.

A BILL

For An Act to amend sections two (2), three (3), four (4) and eighteen (18) of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

General Assembly: That sections two, three, four and eighteen of an act entitled "An act concerning corporations," approved April 18, 1872, in force July 1, 1872, be amended so as to read as follows:

"Section 2. Whenever any number of persons, not less than three nor more than seven, shall propose to form a corporation under this act, they shall make a statement to that effect, under their hands, and duly acknowledged before some officer in the manner provided for the acknowledgment of deeds, setting forth the name of the proposed corporation, *which name shall include the word "corporation,* the object for which it is to be formed, its capital stock, the number of shares and amount of each share of which such stock shall consist, the location of the principal office, and the duration of the corporation, not exceeding, however, ninety-nine years; which statement shall be made in accordance with the following form, to-wit:

STATE OF ILLINOIS, }
County. } ss.

To.....Secretary of State:

We, the undersigned.....

.....

propose to form a corporation under an act of the General Assembly of the State of Illinois, entitled 'An act concerning corporations,' approved April 18, 1872, and all acts amendatory thereof; and for the purposes of such organization, we hereby state as follows, to-wit:

1. The name of such corporation is.....
2. The object for which it is formed is.....
3. The capital stock shall be.....
4. The amount of each share is.....
5. The number of shares.....
6. The location of the principal office is in.....in the county of....., State of Illinois.

7. The duration of the corporation shall be.....years; which statement shall be filed in the office of the Secretary of State. The Secretary of State shall thereupon issue to such persons a license as commissioners to open books for subscription to the capital stock of said corporation at such times and places as they may determine; but no license shall be issued to two companies having the same name, *and no corporation organized under this law shall be come a stockholder in any other corporation*, nor shall any name be assumed or adopted by any corporation similar to, or liable to be mistaken for, the name of any other corporation organized under the laws of this State, or which shall have filed with the Secretary of State a certified copy of its certificate of organization under the laws of any other State. The fee for the license provided for in this section shall be fifty dollars, and shall in all cases be paid in advance, and shall be in full for all papers in and about the organization of the corporation. Upon the filing by any corporation organized under the laws of any other State, of a certified copy of its certificate of organization, the Secretary of State shall issue to such corporation a certificate thereof the fee for which shall be the same as is required by this section of corporations, organized under the laws of this State.

"Section 8. As soon as may be, after the capital stock shall be fully subscribed, the commissioners shall convene a meeting of the subscribers for the purpose of electing directors or managers, and the transaction of such other

business as shall come before them. Notice thereof shall be given by depositing in the postoffice, properly addressed to each subscriber, at least ten days before the time fixed, a written or printed notice, stating the object, time and place of such meeting, and the giving of such notice, herein provided for, shall in no case be waived. In all elections for directors or managers of corporations, organized under this act, every subscriber or stockholder shall have the right to vote in person, or by proxy, for the number of shares owned or subscribed by him, for as many persons as there are directors or managers to be elected, or to cumulate such shares, and give one candidate as many votes as the number of directors or managers multiplied by the number of his shares of stock, shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner, nor for less than one nor more than three years. It shall be lawful for any such corporation, by resolution of the stockholders, to divide its board of directors or managers into three classes, numbered consecutively, the term of office of the first class to expire on the day of the annual election of said company then next ensuing; the second class one year thereafter, and the third class two years thereafter. At each annual election after such classification, the stockholders of such company shall elect for a term of three years, a number of directors or managers, equal to the number in the class whose term expires on the day of such election. All other vacancies to be filled in accordance with the by-laws of the corporation.

"Section 4. The commissioners shall make a full report of their proceedings, including therein a copy of the notice provided for in the foregoing section, a copy of the subscription list, and the names of the directors or managers elected and their respective terms of office, to which report shall be appended an affidavit of at least a majority of the commissioners, *and of the subscribers representing a majority of the capital stock*, that such report is true in substance, and in fact, *and that they verily believe that each subscriber to the capital stock of such proposed corporation is able to pay the amount of his subscription*, which report and affidavit shall be filed in the office of the

84 Secretary of State. The Secretary of State shall thereupon issue a certifi-
85 cate of the complete organization of the corporation, making a part thereof
86 a copy of all papers filed in his office in and about the organization of the
87 corporation, and duly authenticated under his hand and seal of State, and
88 the same shall be recorded in a book for that purpose, in the office of the
89 recorder of deeds of the county where the principal office of such company
90 is located. Upon the recording of such copy the corporation shall be deem-
91 ed fully organized, and may proceed to business. Unless such company shall
92 be organized and actually engage in the business for which organized,
93 within *one* year after the date of such license, then such license shall be
94 deemed revoked, and all proceedings thereunder void.

95 "Section 18. If any person or persons being or pretending to be an officer
96 or agent, or board of directors, or managers of any stock corporation, or
97 pretended stock corporation, shall assume to exercise corporate powers, or
98 use the name of any such corporation, or pretended corporation, without
99 complying with the provisions of this act, before all stock named in the
100 articles of incorporation shall be subscribed in good faith, *and before the*
101 *certificate of the Secretary of State is recorded, as herein before provided for,*
102 such person or persons shall be jointly and severally liable for all the
103 debts and liabilities of such corporation or pretended corporation, *and may*
104 *be fined in any sum not exceeding one hundred dollars, or imprisoned in the*
105 *county jail not exceeding six months, or both, in the discretion of the court."*

1. Introduced by Mr. Lemma, January 17, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Education and Educational Institutions.
3. January 31, 1883, 100 copies ordered printed for use of Committee.

A BILL

For An Act making an appropriation for the ordinary expenses of the Southern Illinois Normal University, at Carbondale, in Jackson county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That there be and is hereby appropriated to the Southern Illinois
3 Normal University, at Carbondale, in addition to the one-half of the interest of the College
4 and Seminary Fund, which is hereby appropriated, the further sum of twelve thousand eight
5 hundred and six dollars and forty-four cents (\$12,806.44) per annum, for the payment of
6 salaries; the sum of one thousand dollars (\$1,000) per annum for fuel; the sum of seven
7 hundred and fifty dollars (\$750) per annum for repairs; the sum of twelve hundred and
8 fifty dollars (\$1250) per annum for library; the sum of five hundred dollars (\$500) per
9 annum for apparatus; the sum of five hundred dollars (\$500) per annum for the use of the
10 museum; the sum of three hundred and fifty dollars (\$350) per annum for trustees' expenses,
11 and the sum of three hundred dollars (\$300) per annum for care of grounds; and these
12 several sums shall be payable quarterly in advance, from the first day of July, 1883, to the
13 expiration of the first fiscal quarter after the adjournment of the next General Assembly:
14 *Provided*, that the expenses of the Model and High Schools be paid from the receipts of
15 the said schools.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his
2 warrants upon the Treasurer for said sums, upon the order of the trustees of the said
3 Southern Illinois Normal University, signed by their president and attested by the secretary,
4 with the corporate seal attached: *Provided*, that satisfactory vouchers in detail, approved

5 by the Governor, shall be filed quarterly with the Auditor of Public Accounts, for all the
6 expenses, ordinary and extraordinary, of the preceding quarter, and no part of the moneys
7 herein appropriated shall be due and payable untill such vouchers have been filed.

1. Introduced by Mr. Lemma, January 17, 1883, and ordered to first reading.
2. First reading April 17, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 20, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 27, 1883, passage recommended as amended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 46, RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend by striking out the words and figures "twelve thousand eight hundred and
2 six dollars and forty-four cents (\$12,806.44)," in lines eleven and twelve, (section one) of
3 written bill, (being for salaries), and insert in lieu thereof the words and figures "twelve
4 thousand and fifty-six dollars and forty-four cents (\$12,056.44)."
- 5 2. Amend by striking out the words and figures "twelve hundred and fifty dollars
6 (\$1,250)," in lines sixteen and seventeen (section one) of written bill, (being for library), and
7 insert in lieu thereof the words and figures "seven hundred and fifty dollars (\$750)."
- 8 3. Amend by striking out the words and figures "five hundred dollars (\$500)," in line
9 eighteen (section one) of written bill, (being for apparatus), and insert in lieu thereof the
10 words and figures "four hundred dollars (\$400)."
- 11 4. Amend by adding after the word "grounds," in line twenty-four (section one) of
12 written bill, the following: "For the necessary excavation and erection of a brick coal house,
13 the sum of four hundred dollars (\$400)."

A BILL

For An Act making an appropriation for the ordinary expenses of the Southern Illinois Normal
University, at Carbondale, in Jackson county.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly, That there be and is hereby appropriated to the Southern Illinois*

3 Normal University, at Carbondale, in addition to the one-half of the interest of the College
 4 and Seminary Fund, which is hereby appropriated, the further sum of twelve thousand eight
 5 hundred and six dollars and forty-four cents (\$12,806.44), per annum, for the payment of
 6 salaries; the sum of one thousand dollars (\$1,000) per annum for fuel; the sum of seven
 7 hundred and fifty dollars (\$750) per annum for repairs; the sum of twelve hundred and
 8 fifty dollars (\$1,250) per annum, for library; the sum of five hundred dollars (\$500) per
 9 annum for apparatus; the sum of five hundred dollars (\$500) per annum for the use of
 10 the museum; the sum of three hundred and fifty dollars (\$350) per annum
 11 for trustees' expenses, and the sum of three hundred dollars (\$300) per an-
 12 num for care of grounds; and these several sums shall be payable quarterly in advance
 13 from the first day of July, 1883, to the expiration of the first fiscal quarter after the ad-
 14 journment of the next General Assembly: *Provided*, that the expenses of the Model
 15 and High Schools be paid from the receipts of the said schools.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his
 2 warrants upon the Treasurer for said sums, upon the order of the trustees of the said
 3 Southern Illinois Normal University, signed by their president and attested by the secretary,
 4 with the corporate seal attached: *Provided*, that satisfactory vouchers in detail, approved
 5 by the Governor, shall be filed quarterly with the Auditor of Public Accounts, for all the
 6 expenses, ordinary and extraordinary, of the preceding quarter, and no part of the moneys
 7 herein appropriated shall be due and payable until such vouchers have been filed.

1. Introduced by Mr. Lemma January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Appropriations.
3. Reported back and referred to Committee on Education and Educational Institutions, January 31, 18-3.
4. Reported back April 20, and referred to Committee on Appropriations.
5. Reported back April 27, 1883, with amendments, passage recommended, and ordered to second reading.
6. Second reading May 3, 1883, amended and ordered to third reading.

A BILL

For An Act making an appropriation for the ordinary expenses of the Southern Illinois Normal University, at Carbondale, in Jackson county.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 *General Assembly,* That there be and is hereby appropriated to the Southern Illinois
3 Normal University, at Carbondale, in addition to the one-half of the interest of the College
4 and Seminary Fund, which is hereby appropriated, the further sum of twelve thousand
5 and fifty-six dollars and forty-four cents (\$12,056.44), per annum, for the payment of
6 salaries; the sum of one thousand dollars (\$1,000) per annum for fuel; the sum of seven
7 hundred and fifty dollars (\$750) per annum for repairs; the sum of seven hundred and
8 fifty dollars (\$750) per annum, for library; the sum of four hundred dollars (\$400) per
9 annum for apparatus; the sum of five hundred dollars (\$500) per annum for the use of
10 the museum; the sum of three hundred and fifty dollars (\$350) per annum
11 for trustees' expenses, and the sum of three hundred dollars (\$300) per an-
12 num for care of grounds; for the necessary excavation and erection of a brick coal-house,
13 the sum of four hundred dollars (\$400); and these several sums shall be payable quarterly in
14 advance from the first day of July, 1883, to the expiration of the first fiscal quarter after the
15 adjournment of the next General Assembly: *Provided,* that the expenses of the Model
16 and High Schools be paid from the receipts of the said schools.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his
2 warrants upon the Treasurer for said sums, upon the order of the trustees of the said

3 Southern Illinois Normal University, signed by their president and attested by the secretary,
4 with the corporate seal attached: *Provided*, that satisfactory vouchers in detail, approved
5 by the Governor, shall be filed quarterly with the Auditor of Public Accounts, for all the
6 expenses, ordinary and extraordinary, of the preceding quarter, and no part of the moneys
7 herein appropriated shall be due and payable until such vouchers have been filed.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

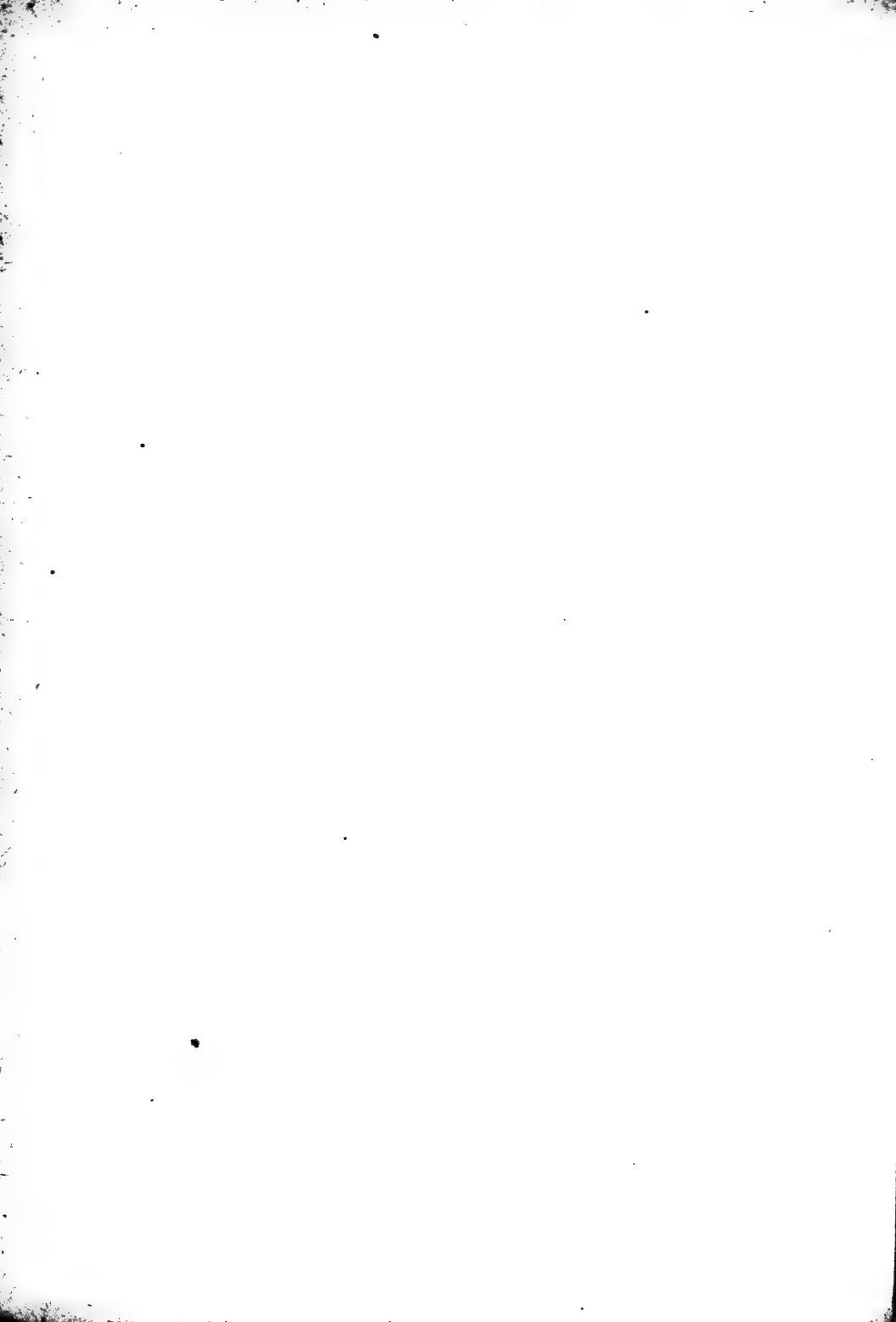
for An Act making an appropriation for the ordinary expenses of the Southern Illinois Normal University, at Carbondale, in Jackson county.

SECTION 1 *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Southern Illinois Normal University, at Carbondale, in addition to the one-half of the interest of the College and Seminary Fund, which is hereby appropriated, the further sum of twelve thousand and fifty-six dollars and forty-four cents (\$12,056.44), per annum, for the payment of salaries; the sum of one thousand dollars (\$1,000) per annum for fuel; the sum of seven hundred and fifty dollars (\$750) per annum for repairs; the sum of seven hundred and fifty dollars (\$750) per annum for library; the sum of four hundred dollars (\$400) per annum for apparatus; the sum of five hundred dollars (\$500) per annum for the use of the museum; the sum of three hundred and fifty dollars (\$350) per annum for trustees' expenses, and the sum of three hundred dollars (\$300) per annum for care of grounds; for the necessary excavation and erection of a brick coal-house, the sum of four hundred dollars (\$400); and these several sums shall be payable quarterly in advance from the first day of July, 1883, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly: *Provided*, that the expenses of the Model and High Schools be paid from the receipts of the said schools.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the Treasurer for said sums, upon the order of the trustees of the said Southern Illinois Normal University, signed by their president and attested by the secretary.

4 with the corporate seal attached: *Provided*, that satisfactory vouchers in detail, approved
5 by the Governor, shall be filed quarterly with the Auditor of Public Accounts, for all the
6 expenses, ordinary and ex raordinary, of the preceding quarter, and no part of the moneys
7 herein appropriated shall be due and payable until such vouchers have been filed.

Amend by striking out in lines seven and eight, the words and figures
2 "seven hundred and fifty dollars (\$750)," and inserting "two hundred and fifty
3 dollars (\$250)."



1. Introduced by Mr. Gillham, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back February 16, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to amend section three (3) of an act entitled 'An act to indemnify owners of sheep in cases of damage by dogs,' approved May 30, 1881; also to amend section five (5) of an act to amend an act entitled 'An act to indemnify owners of sheep in cases of damage by dogs,' approved May 28, 1881."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section three (3) of an act entitled "An act to indem-
3 nify owners of sheep in cases of damage committed by dogs," approved May
4 30, 1881, and in force from its passage, be and the same is hereby amended
5 so as to read as follows:
6 "Section 3. It shall be the duty of the county treasurers and supervisors,
7 having the custody of the funds collected as license fees, as aforesaid, to pay
8 the same out in the manner following:
9 "First—By such county treasurers to the owners of sheep in their respec-
10 tive counties, and by the supervisors to the owners of sheep in their respec-
11 tive towns, who shall make proof to them, before the first Monday of March
12 in each year, of loss or injury so proved, if there are funds sufficient to pay
13 the same; if there be not sufficient funds to pay such loss or injury in full,
14 then the owners of sheep so sustaining loss or injury, as aforesaid, shall be
15 paid out of such fund in proportion to his or her loss or injury, or his or
16 her *pro rata* share thereof.

18 "Second—If there be a balance of such license fund left remaining in the
 19 hands of the county treasurer in counties not under township organization,
 20 or supervisors in counties under township organization, after paying all the
 21 claims proven as provided in section five (5) of the act to which this is an
 22 amendment, such balance shall remain in the county treasury in counties
 23 not under township organization, or in the hands of the supervisors and
 24 their successors in office in counties under township organization, as a special
 25 fund for the purposes of this act, or the act to which this is an amendment,
 26 until such time as such special fund shall amount to the sum of one thou-
 27 sand five hundred dollars (\$1,500) in counties not under township organiza-
 28 tion, and three hundred dollars (\$300) for each township in counties under
 29 township organization; after which, such surplus over and above the amounts
 30 above stated shall be turned into the current funds in counties not under
 31 township organization, and be appropriated as the county board may direct;
 32 and by the supervisors of the towns in counties under township organiza-
 33 tion, into the general fund of the town, to be disposed of as such town shall
 34 see proper.

35 "Section 5. No person having sheep killed, or injured, as aforesaid, shall
 36 be entitled to receive any portion of the funds herein provided for, unless he
 37 shall appear before the nearest justice of the peace, who is in no way related,
 38 either by blood or marriage, to the party applying, within three (3) days
 39 from the time when such damage or injury is discovered, and make affidavit,
 40 stating the number of sheep killed or injured, that the name of the owner
 41 or keeper of the dog or dogs which destroyed or injured the applicant's
 42 sheep is or are unknown, or, if known, then stating the name, and that such
 43 owner or keeper is insolvent, and that the applicant has received no com-
 44 pensation from such owners or keeper, or any other person, for the damage
 45 sustained; and thereupon the said justice of the peace shall enter the same
 46 on his docket in the same manner as other suits are docketed; whereupon
 47 such justice of the peace shall issue summons to three (3) disinterested free-
 48 holders, who shall in no wise be related to such applicant, of the county in
 49 counties not under township organization, or of the township in counties un-

50 der township organization, to at once proceed to examine the sheep so killed
51 or injured, and under oath (or affirmation) to assess the damage so sustained
52 by such applicant, and make due returns of such assessment to such justice
53 of the peace; from which evidence such justice of the peace shall find the
54 damage so sustained by such applicant, and shall thereby make record of
55 his finding as of judgments in other cases. He shall, upon the request of the
56 applicant in such proceeding, make a certified copy from his docket of said
57 proceeding, and the same, with the original affidavit of the applicant, shall
58 be filed with the county treasurer in counties not under township organiza-
59 tion, and in counties under township organization with the supervisor of the
60 town in which such sheep were injured or destroyed, within ten (10) days
61 thereafter, and when so filed shall be sufficient evidence of loss or damage
62 by dogs as aforesaid, and the license funds as aforesaid shall be paid out
63 thereupon on the first Monday of March in each year as hereinbefore
64 provided."

Whereas the moneys arising from the above tax are, under the law, dis-
2 bursed on the first Monday of March, therefore an emergency exists, and
3 this act shall take effect and be in force from and after its passage.



1. Introduced by Mr. Gillham, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back February 16, 1883, passage recommended, and ordered to second reading.
4. Second reading February 23, 1883, and re-committed to Committee on Agriculture and Drainage.
5. Reported back March 6, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to amend section three (3) of an act entitled 'An act to indemnify owners of sheep in cases of damage by dogs, approved May 30, 1881,' also to amend section five (5) of an act to amend an act entitled 'An act to indemnify owners of sheep in cases of damage by dogs,' approved May 23, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly, That section three (3) of an act entitled "An act to indemnify owners of sheep in cases of damage committed by dogs," approved May*
3 *30, 1881, and in force from its passage, be and the same is hereby amended*
4 *so as to read as follows:*

6 "Section 3. It shall be the duty of the county treasurers and supervisors
7 having the custody of the funds collected as license fees as aforesaid, to pay
8 the same out in the manner following:

9 *First*—By such county treasurers to the owners of sheep in their respective
10 counties, and by the supervisors to the owners of sheep in their respective
11 towns, who shall make proof to them, before the first Monday of March in
12 each year, of loss or injury so proved, if there are funds sufficient to pay the
13 same; if there be not sufficient funds to pay such loss or injury in full, then

14 the owners of sheep so sustaining loss or injury as aforesaid, shall be paid
 15 out of such fund in proportion to his or her loss or injury, or his or her
 16 *pro rata* share thereof.

17 *Second*—If there be a balance of such license fund left remaining in the
 18 hands of the county treasurers in counties not under township organization,
 19 or supervisors in counties under township organization, after paying all the
 20 claims proven as provided in section five (5) of the act, to which this is an
 21 amendment, such balance shall remain in the county treasury in counties
 22 not under township organization, or in the hands of the supervisors and their
 23 successors in office in counties under township organization, as a special fund,
 24 for the purpose of this act or the act to which this is an amendment, until
 25 such time as such special fund shall amount to the sum of one thousand
 26 five hundred dollars (\$1,500) in counties not under township organization,
 27 and three hundred (\$300) for each township in counties under township
 28 organization; after which, such surplus over and above the amounts above
 29 stated, shall be turned into the current funds in counties not under township
 30 organization, and be appropriated as the county board may direct, and by
 31 the supervisors of the towns in counties under township organization, into
 32 the general fund of the town, to be disposed of as such town shall see
 33 proper.

34 "Section 5. No person having sheep killed, or injured, as aforesaid, shall
 35 be entitled to receive any portion of the funds herein provided for, unless
 36 he shall appear before the nearest justice of the peace, who is in no way
 37 related, either by blood or marriage, to the party applying, within three (3)
 38 days from the time when such damage or injury is discovered, and make
 39 affidavit, stating the number of sheep killed or injured, that the name of the
 40 owner or keeper of the dog or dogs which destroyed or injured the appli-
 41 cant's sheep is or are unknown, or, if known, then stating the name, and
 42 that such owner or keeper is insolvent, and that the applicant has received no
 43 compensation from such owner or keeper, or any other person, for the dam-
 44 age sustained, and thereupon the said justice of the peace shall enter the
 45 same on his docket in the same manner as other suits are docketed; where-

46 upon such justice of the peace shall issue summons to three (3) disinterested
 47 free-holders, who shall in no wise be related to such applicant of the county
 48 in counties not under township organization, or of the township in counties
 49 under township organization, to at once proceed to examine the sheep so
 50 killed or injured, and under oath (or affirmation) to assess the damages so
 51 sustained by such applicant, and make due returns of such assessment to
 52 such justice of the peace, from which evidence such justice of the peace shall
 53 find the damage so sustained by such applicant, and shall thereby make
 54 record of his finding as of judgments in other cases. He shall, upon the re-
 55 quest of the applicant in such proceeding, make a certified copy from his
 56 docket of said proceeding, and the same with the original affidavit of the
 57 applicant shall be filed with the county treasurer in counties not under township
 58 organization, and in counties under township organization with the super-
 59 visor of the town in which such sheep were injured or destroyed, within ten
 60 (10) days thereafter, and when so filed shall be sufficient evidence of loss or
 61 damage by dogs as aforesaid, and the license funds as aforesaid shall be paid
 62 out thereupon on the first Monday of March in each year, as hereinbefore
 63 provided.

64 Whereas the moneys arising from the above tax are, under the law, dis-
 65 bursed on the first Monday of March, therefore an emergency exists, and
 66 this act shall take effect and be in force from and after its passage.

AMENDMENTS TO SENATE BILL NO. 47, ADOPTED BY THE COMMIT- TEE ON AGRICULTURE AND DRAINAGE.

1. Amend by inserting the words "three hundred dollars," in place of
 2 \$1,500, in counties not under township organization where it occurs in the
 3 bill.
- 4 2. Amend by striking out the words and figures in 28th line of written
 5 bill "three hundred dollars (\$300)," and insert in lieu thereof the words and
 6 figures "two hundred dollars (\$200)."

7 3. Amend section one by striking out all after the word "that," in line 2,
8 and insert in lieu thereof the following: "Sections three and five of an act
9 entitled 'An act to indemnify the owners of sheep in cases of damage com-
10 mitted by dogs, in force May 30, 1881, and July 1, 1881.'"

11 4. Amend title by striking out all after the word "amend," in line 1, and
12 insert the following: "Sections three and five of an act entitled 'An act to
13 indemnify the owners of sheep in cases of damage committed by dogs,
14 approved May 19, 1879, in force July 1, 1879,' as said sections were amended
15 by acts in force May 30, 1881, and July 1, 1881.

16 5. Amend bill by striking out the emergency clause.

1. Introduced by Mr. Gilham, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back February 16, 1883, passage recommended, and ordered to second reading.
4. Second reading February 22, 1883, and re-committed to Committee on Agriculture and Drainage.
5. Reported back March 3, 1883, with amendments, passage recommended, and ordered to second reading.
6. Second reading March 27, 1883, amended, and ordered to a third reading.

A BILL

For An Act to amend sections three (3) and five (5), of an act entitled "An act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879 as said sections were amended by acts in force May 30, 1881, and July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That sections three (3) and five (5), of an act entitled "An act to indemnify the
3 owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July
4 1, 1879, as said sections were amended by acts in force May 30, 1881, and July 1, 1881, be, and
5 the same are hereby amended, so as to read as follows:

6 "Section 3. It shall be the duty of the county treasurers and supervisors having the custody
7 of the funds collected as license fees as aforesaid, to pay the same out in the manner following:

8 *First*—By such county treasurers to the owners of sheep in their respective counties, and by the
9 supervisors to the owners of sheep in their respective towns, who shall make proof to them, be-
10 fore the first Monday of March, in each year, of loss or injury to sheep by dogs, other than their
11 own, the full amount of injuries as proved, if there are funds sufficient to pay the same; if there
12 be not sufficient funds to pay such loss or injury in full, then the owners of sheep so sustaining
13 loss or injury as aforesaid, shall be paid out of each fund in proportion to his or her loss or in-
14 jury as his or her pro rata share thereof.

15 *Second*—If there be a balance of such license fund left remaining in the hands of the county
16 treasurers in counties not under township organization, or supervisors in counties under town-
17 ship organization, after paying all the claims proven as provided in section five (5), of the act, to
18 which this [is] an amendment, such balance shall remain in the county treasury in counties not

19 under township organization, or in the hands of the supervisors and their successors in office in
 20 counties under township organization, as a special fund, for the purposes of this act or the act
 31 to which this is an amendment, until such time as such special fund shall amount to the sum of
 32 three hundred dollars (\$300) in counties not under township organization, and fifty dollars (\$50)
 33 for each township in counties under township organization; after which, such surplus over and
 34 above the amounts above stated, shall be turned into the current funds in counties not under
 25 township organization, and be appropriated as the county board may direct, and by the super-
 26 visors of the towns in counties under township organization, into the general fund of the town,
 27 to be disposed of as such town shall see proper.

28 "Section 5. No person having sheep killed, or injured, as aforesaid, shall be entitled to re-
 29 ceive any portion of the funds herein provided for, unless he shall appear before the nearest
 30 justice of the peace, within five (5) days from the time when such damage or injury is discovered,
 31 and make affidavit, stating the number of sheep killed or injured, that the name of the owner or
 32 keeper of the dog or dogs which destroyed or injured the applicant's sheep is or are unknown,
 33 or, if known, then stating the name, and that such owner or keeper is insolvent, and that the
 34 applicant has received no compensation from such owner or keeper, or any other person, for the
 35 damage sustained; and thereupon the said justice of the peace shall enter the same on his docket
 36 in the same manner as other suits are docketed; whereupon such justice of the peace shall issue
 37 summons to three (3) disinterested freeholders, who shall in no wise be related to such applicant
 38 of the county in counties not under township organization, or of the township in counties under
 39 township organization, to at once proceed to examine the sheep so killed or injured, and under
 40 oath (or affirmation) to assess the damage so sustained by such applicant, and make due returns
 41 of such assessment to such justice of the peace, from which evidence such justice of the peace
 42 shall find the damage so sustained by such applicant, and shall thereby make record of his find-
 43 ings as of judgments in other cases. He shall, upon the request of the applicant in such pro-
 44 ceeding, make a certified copy from his docket of said proceeding, and the same with the original
 45 affidavit of the applicant shall be filed with the county treasurer in counties not under township
 46 organization, and in counties under township organization with the supervisor of the town in
 47 which such sheep were injured or destroyed, within ten (10) days thereafter; and when so filed
 48 shall be sufficient evidence of loss or damage by dogs as aforesaid, and the license funds as afore-
 49 said shall be paid out thereupon on the first Monday of March, in each year, as hereinbefore
 50 provided."

1. Introduced by Mr. Gillham, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Agriculture and drainage.
3. Reported back February 16, 1883, passage recommended, and ordered to second reading.
4. Second reading February 23, 1883, and re-committed to Committee on Agriculture and Drainage.
5. Reported back March 6, 1883, with amendments, passage recommended, and ordered to second reading.
6. Second reading March 27, 1883, amended, and ordered to a third reading.
7. May 16, 1883, vote ordering to third reading reconsidered, amended by unanimous consent, and ordered to a third reading.

A BILL

For An Act to amend sections three (3) and five (5), of an act entitled "An act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879, as said sections were amended by acts in force May 30, 1881, and July 1, 1881.

-
- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly:* That sections three (3) and five (5), of an act entitled "An
- 3 act to indemnify the owners of sheep in cases of damage committed by dogs,"
- 4 approved May 29, 1879, in force July 1, 1879, as said sections were amended
- 5 by acts in force May 30, 1881, and July 1, 1881, be, and the same are hereby
- 6 amended, so as to read as follows:
- 7 "Section 3. It shall be the duty of the county treasurers and supervisors
- 8 having the custody of the funds collected as license fees as aforesaid, to pay
- 9 the same out in the manner following:
- 10 *First—*By such county treasurers to the owners of sheep in their respective
- 11 counties, and by the supervisors to the owners of sheep in their respective
- 12 towns, who shall make proof to them, before the first Monday of March, in

13 each year. of loss or injury to sheep by dogs, other than their own, the full
14 amount of injuries as proved, if there are funds sufficient to pay the same;
15 if there be not sufficient funds to pay such loss or injury in full, then the
16 owners of sheep so sustaining loss or injury as aforesaid, shall be paid out
17 of such fund in proportion to his or her loss or injury as his or her *pro rata*
18 share thereof.

19 *Second*—If there be a balance of such license fund left remaining in the
20 hands of the county treasurers in counties not under township organization,
21 or supervisors in counties under township organization, after paying all the
22 claims proven as provided in section five (5), of the act, to which this is an
23 amendment, such balance shall remain in the county treasury in counties
24 not under township organization, or in the hands of the supervisors and their
25 successors in office in counties under township organization, as a special fund,
26 for the purposes of this act or the act to which this is an amendment, until
27 such time as such special fund shall amount to the sum of one hundred dol-
28 lars (\$100), in counties not under township organization, and fifty dollars
29 (\$50) for each township in counties under township organization; after which
30 such surplus over and above the amounts above stated, shall be turned into
31 the current funds in counties not under township organization, and be ap-
32 propriated as the county board may direct, and by the supervisors of the
33 towns in counties under township organization, into the general fund of the
34 town, to be disposed of as such town shall see proper.

35 Section 5. No person having sheep killed or injured, as aforesaid, shall be
36 entitled to receive any portion of the funds herein provided for, unless he
37 shall appear before the nearest justice of the peace, within five (5) days from
38 the time when such damage or injury is discovered, and make affidavit,
39 stating the number of sheep killed or injured, that the name of the owner
40 or keeper of the dog or dogs which destroyed or injured the applicants'
41 sheep, is or are unknown, or, if known, then stating the name, and that such
42 owner or keeper is insolvent, and that the applicant has received no com-
43 pensation from such owner or keeper, or any other person, for the damage
44 sustained; and thereupon the said justice of the peace shall enter the same

45 on his docket in the same manner as other suits are docketed; whereupon such
46 justice of the peace shall issue summons to three (3) disinterested freehold-
47 ers, who shall in no wise be related to such applicant, of the county in coun-
48 ties not under township organization, or of the township in counties under
49 township organization, to at once proceed to examine the sheep so killed or
50 injured, and under oath (or affirmation) to assess the damage so sustained
51 by such applicant, and make due returns of such assessment to such justice
52 of the peace, from which evidence such justice of the peace shall find the
53 damage so sustained by such applicant, and shall thereby make record of
54 his findings as of judgments in other cases. He shall, upon the request of
55 the applicant in such proceeding, make a certified copy from his docket of
56 said proceeding, and the same with the original affidavit of the applicant
57 shall be filed with the county treasurer in counties not under township or-
58 ganization, and in counties under township organization, with the supervisor
59 of the town in which such sheep were injured or destroyed, within ten (10)
60 days thereafter; and when so filed shall be sufficient evidence of loss or dam-
61 age by dogs as aforesaid, and the license funds as aforesaid shall be paid out
62 thereupon on the first Monday of March, in each year, as hereinbefore pro-
63 vided."

1. Introduced by Mr. Herely, January 17, 1883, and ordered to first reading.
2. First reading, January 17, 1883, and referred to Committee on Municipalities.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to Pools, Bets, Options and Wages, and fixing penalties therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That whosoever shall keep, own, lease, occupy, or use any
3 room, tent, building, or any part or portion thereof, or any place or stand-
4 ing room upon any grounds, real estate, anywhere within the State of Illinois,
5 where checks, black-boards, wheels, books, or any other apparatus or device
6 for the purpose of recording, registering or keeping track of any bet, wager
7 or option, or knowingly kept, or had, or shall give away or dispose of, or
8 attempt or offer to sell, give away or dispose of, or shall buy pools or options
9 upon the results of any game, trial or contest of skill, speed or power of en-
10 durance of man, bird or beast, or the future value of, or price of any grain,
11 hay, provisions or produce, unless said grain, hay, provisions or produce is
12 bargained for and sold in, and said option taken in good faith and with
13 the intention of all parties of having the same delivered, shall be
14 guilty of a misdemeanor, and shall upon the first conviction be fined not less
15 than ten (\$10) dollars or more than two hundred dollars, and upon the
16 second conviction not less than fifty nor more than one thousand, and be
17 confined in the county jail not less than one month or more than one year,

18 and for the third, and all subsequent convictions, be fined not less than two
19 hundred nor more than two thousand dollars, and be confined in the State
20 penitentiary not less than one year or more than three years.

1. Introduced by Mr. Vandev eer, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Judicial Department.
3. Reported back February 8, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section sixteen (16) of chapter eighty-three (83) of an act entitled "An act in regard to limitations," approved April 4, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly, That section sixteen (16) of chapter eighty-three (83) of an act entitled "An act in regard to limitations," be amended to read as follows:

"Section 16. Actions on bonds, promissory notes, bills of exchange, written leases, written contracts, or other evidences of indebtedness in writing, shall be commenced within ten (10) years next, after the cause of action accrued; but if such instrument be payable on demand, or on presentation, then action shall be commenced within ten (10) years next after the date thereof; but if any payment or new promise to pay shall have been made, on any bond, note, bill, lease, contract, or other written evidence of indebtedness, within or after the said period of ten (10) years, then an action may be commenced thereon at any time within ten (10) years after the time of such payment or promise to pay."

AMENDMENT TO SENATE BILL NO. 52, RECOMMENDED BY THE COMMITTEE ON JUDICIAL DEPARTMENT.

Amend by inserting the words "in writing" after the word "made" in the
2 fifteenth (15th) line of the written bill.

1. Introduced by Mr. Vandever, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Judicial Department.
3. Reported back February 8, 1883, with amendment, passage recommended, and ordered to second reading.
4. Second reading February 27, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend section sixteen (16) of an act entitled "An act in regard to limitations," approved April 4, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section sixteen (16) of an act entitled "An act in regard
3 to limitations," approved April 4, 1872, in force July 1, 1872, be amended to
4 read as follows:
5 "Section 16. Actions on bonds, promissory notes, bills of exchange, written
6 leases, written contracts, or other evidences of indebtedness in writing, shall
7 be commenced within ten (10) years next, after the cause of action accrued;
8 but if such instrument be payable on demand, or on presentation, then
9 action shall be commenced within ten (10) years next after the date thereof;
10 but if any payment or new promise to pay shall have been made in writing,
11 on any bond, note, bill, lease, contract, or other written evidence of indebt-
12 edness, within or after the said period of ten (10) years, then an action may
13 be commenced thereon at any time within ten (10) years after the time of
14 such payment or promise to pay."

-
1. Reported to House, March 3, 1883.
 2. First reading March 22, 1883, and referred to Committee on Judiciary.
 3. Reported back with amendment, passage recommended, report concurred in, and ordered to second reading March 30, 1883.
-

A BILL

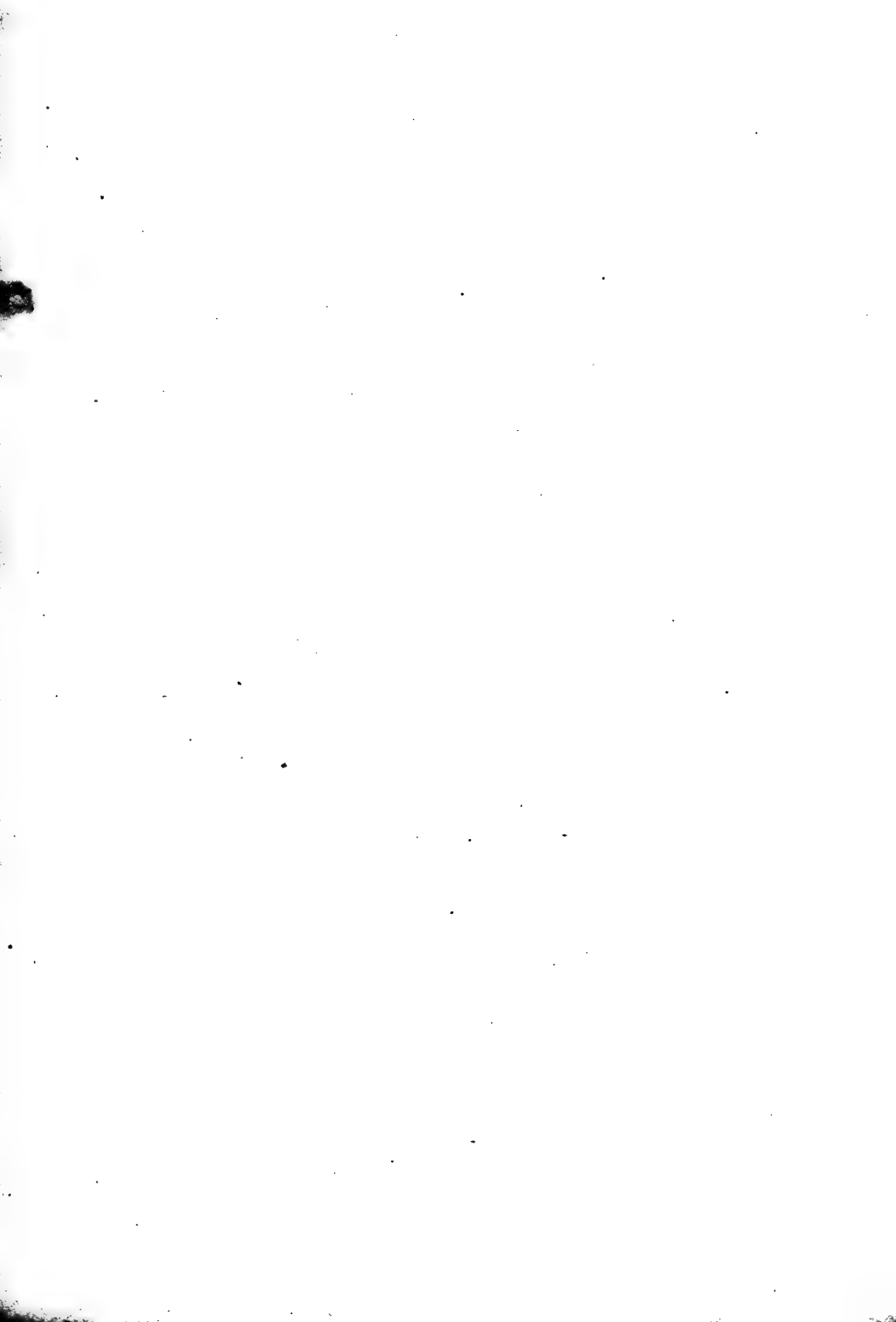
For An Act to amend section sixteen (16), of an act entitled "An act in regard to limitations," approved April 4, 1872, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixteen (16), of an act entitled "An act in regard to limitations," approved April 4, 1872, in force July 1, 1873, be amended, to read as follows:

'Section 16. Actions on bonds, promissory notes, bills of exchange, written leases, written contracts or other evidences of indebtedness in writing, shall be commenced within ten (10) years next, after the cause of action accrued; but if such instrument be payable on demand, or on presentation, then action shall be commenced within ten (10) years next, after the date thereof; but if any payment or new promise to pay shall have been made in writing on any bond, note, bill, lease, contract or other written evidence of indebtedness, within or after the said period of ten (10) years, then an action may be commenced thereon at any time within ten (10) years after the time of such payment or promise to pay.'

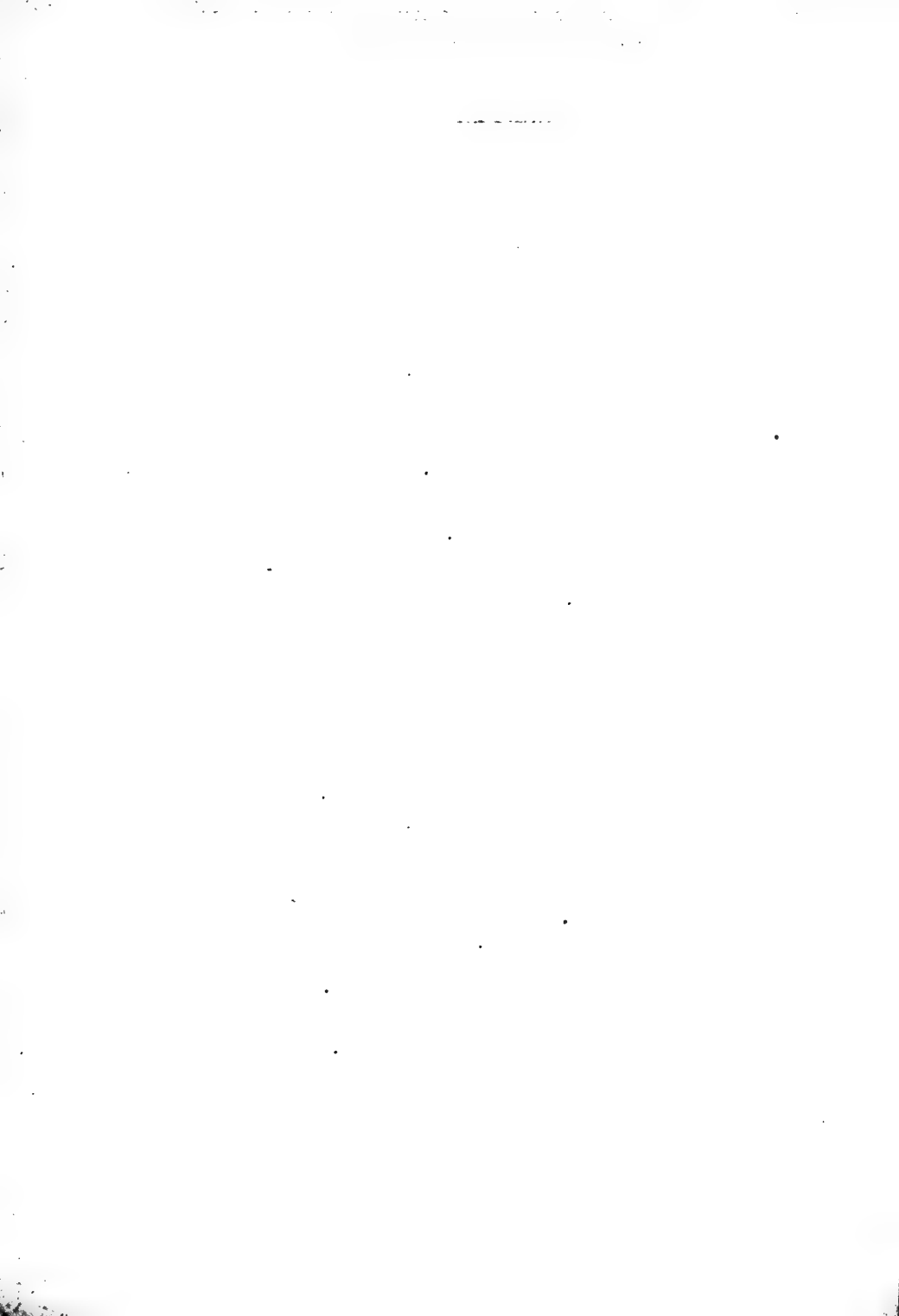
AMENDMENT.

Amend by inserting after the word "contract," in line 2, of section 16, and before the word "or" in same line the words "judgment rendered by justice of the peace and police magistrate."



HOUSE AMENDMENT TO SENATE BILL 52.

Amend by inserting after the word "contract," in line 3, of section 16, and
2 before the word "or" in same line the words "judgment rendered by justice
3 of the peace and police magistrate."



1. Introduced by Mr. Clark, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Judicial Department.
3. Reported back February 8, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to granting license to keep dram shops in cities, villages and towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the city council in cities, and the board of trustees in villages and towns, incorporated under the general law or under any special law of this State, are hereby authorized, at or before their first meeting in the month preceding the month in which the general municipal election is held in such city, village or town, to submit to the voters, at the ensuing election, the question of granting license to keep dram shops, and in such case it shall be the duty of the officer giving notice for the election to insert in such notice the fact that such question has been submitted to be voted upon.

§ 2. Whenever such question shall have been submitted, as in section one of this act provided, it shall be the duty of the officers canvassing such votes to also canvass the number of votes cast "for license" and "against license," and if it shall appear that a greater number of votes shall have been cast "for license" than have been cast "against license," it shall be the duty of the proper officers to grant license for dram shops, under proper regulations and in conformity with the provisions of the statute relating thereto; and if it shall appear that a greater number of votes have been cast "against license" than have been cast "for license," no license shall be

10 granted, no city council or board of trustees shall grant such license to any
 11 member of such council or board of trustees, nor to any firm to which such
 12 member may belong or in which he may be interested.

§ 3. In case such corporate authorities shall take no action, as authorized
 2 in section one of this act, on or before the time therein mentioned, then, on
 3 written petition of legal voters, in number equal to at least one-fifth the
 4 number voting at the last preceding municipal election, being filed with the
 5 officer whose duty it is to give notice of election, it shall be the duty of
 6 such officer to include in such notice the fact that such petition has been
 7 filed in his office and that such question has been submitted to be voted
 8 upon, in which case the votes shall be canvassed, the result found, and the
 9 corporate authorities shall, in all respects, be governed in their action the
 10 same as though such question had been submitted as provided in section
 11 one of this act.

§ 4. No bond shall be approved by the corporate authorities of any city,
 2 village or town, unless there shall be attached thereto an affidavit of one or
 3 more of the sureties thereto, that at least two of the signers thereof have
 4 each unincumbered property equal in value to the amount of such bond;
 5 and in any action maintained upon such bond the same rule of damages
 6 shall apply to the sureties thereto as would apply should the principal be
 7 sued separately in any form of action.

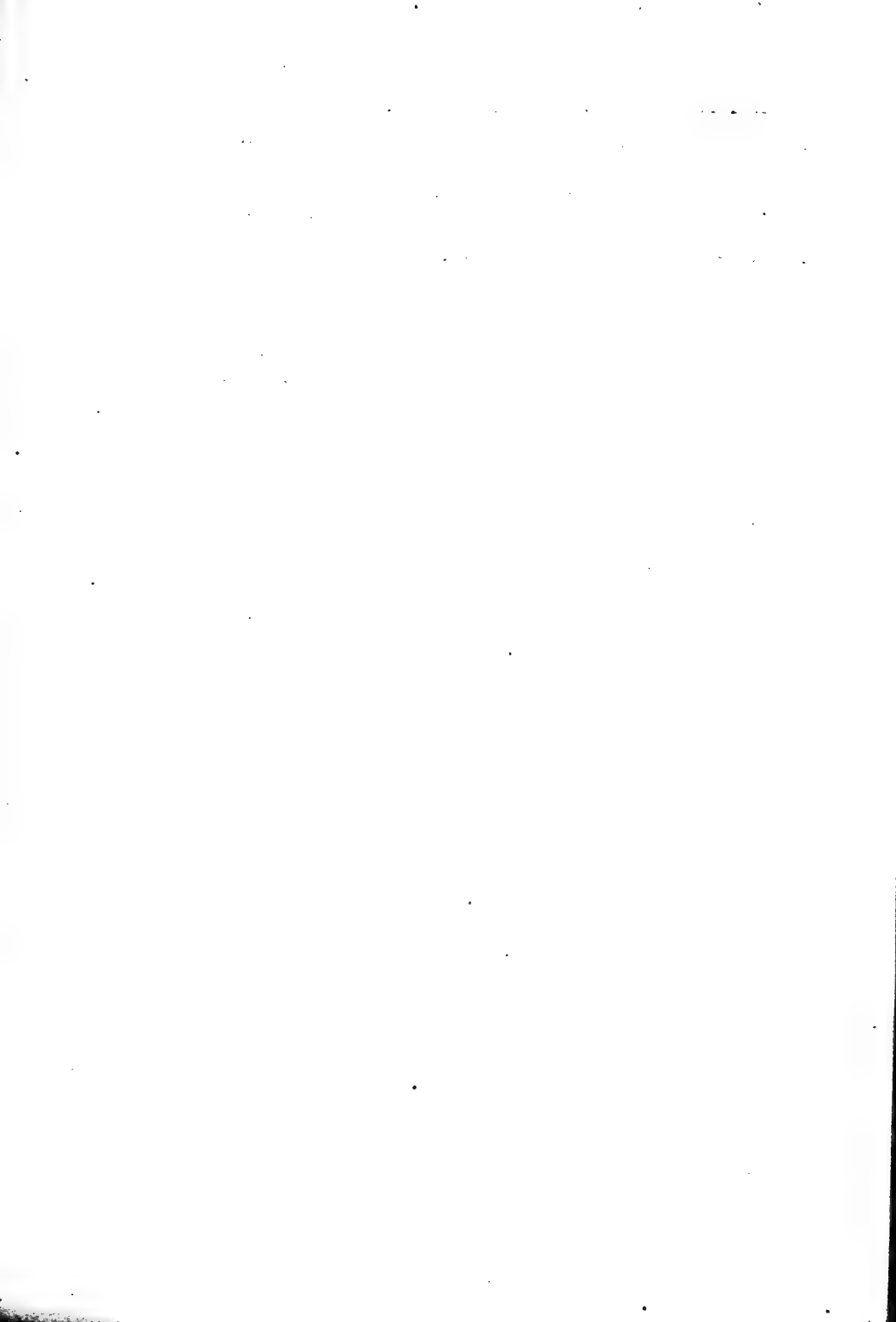
§ 5. Whereas, there are many cities and villages in this State which desire
 2 to submit the question of license or no license to a vote at the coming
 3 election, therefore an emergency exists, and this act shall take effect from
 4 and after its passage.

**AMENDMENTS TO SENATE BILL NO. 53, RECOMMENDED BY THE
 COMMITTEE ON JUDICIAL DEPARTMENT.**

1. Amend by striking out all of section two (2) after the word "granted"
 2 in the 14th line of the second page of the written bill.

2. Amend section three (3) by adding thereto, "The question on such
 2 petition of the issuance of such license shall not be submitted oftener than
 3 once in two years."

3. Amend the title by adding the following: "And to prescribe what
 2 sureties shall be taken on the bonds given."



1. Introduced by Mr. Clark, January 17th, 1883, and ordered to first reading.
2. First reading, January 17th, 1883, and referred to Committee on Judicial Department.
3. Reported back January 24th, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections seventeen, eighteen and nineteen of an act entitled
"An Act to regulate the Practice in Courts of Chancery," approved March
15, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly, That sections seventeen, eighteen and nineteen of an act
entitled "An Act to regulate the Practice in Courts of Chancery," approved
March 15, 1872, in force July 1, 1872, be amended so as to read as follows:

§ 17. If the defendant shall appear at the next term and offer to file his
answer to the bill, the court may permit him to do so upon his showing sufficient
cause and paying the costs of the preceding terms, and thereupon such proceed-
ings shall be had as if the defendant had appeared in due season and no decree
had been entered. And if it shall appear upon the hearing that such decree
ought not to have been made against such defendant, the same may be set aside,
altered or amended, so far as it affects property rights, as shall seem just, and
in other respects in the discretion of the court; otherwise the same shall be
ordered to stand confirmed against said defendant.

§ 18. When a bill is taken for confessed, the court, before final decree is
made, shall require the complainant to produce evidence to sustain the allega-
tions of his bill, and such decree shall be made as the court shall consider
equitable and proper.

§ 19. When any final decree shall be entered against any defendant who shall not have been summoned or been served with a copy of the bill, or received the notice required to be sent him by mail, and such person, his heirs, devisees, executor, administrator, or other legal representatives, as the case may require, shall, within one year after notice in writing given him of such decree, or within three years after such decree if no such notice shall have been given, as aforesaid, appear in open court and petition to be heard touching the matter of such decree, and shall pay such costs as the court shall deem reasonable in that behalf; the person so petitioning may appear and answer the complainant's bill, and thereupon such proceeding shall be had as if the defendants had appeared in due season and no decree had been made. And if it shall appear upon the hearing that such decree ought not to have been made against such defendant, the same may be set aside, altered or amended, so far as it affects property rights, as shall appear just, and in other respects in the discretion of the court; otherwise the same shall be ordered to stand confirmed against said defendant. The decree shall, after three years from the making thereof, if not set aside in manner aforesaid, be deemed and adjudged confirmed against such defendant, and all persons claiming under him by virtue of any act done subsequent to the commencement of such suit; and at the end of such three years the court may make such further order in the premises as may be required to carry the same into effect.

1. Introduced by Mr. Clark, January 17, 1883, and ordered to first reading.
2. First reading, January 17, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, and ordered to second reading.
4. Second reading, February 1, 1883, amended and ordered to third reading.

A BILL.

For An Act to amend sections seventeen and nineteen of an act entitled "An Act to regulate the Practice in Courts of Chancery," approved March 15, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly.* That sections seventeen and nineteen of an act entitled "An
3 Act to regulate the Practice in Courts of Chancery," approved March 15, 1872,
4 in force July 1, 1872, be amended so as to read as follows:

5 "§ 17. If the defendant shall appear at the next term and offer to file his
6 answer to the bill, the court may permit him to do so upon his showing sufficient
7 cause and paying the costs of the preceding terms, and thereupon such proceed-
8 ings shall be had as if the defendant had appeared in due season and no decree
9 had been entered. And if it shall appear upon the hearing that such decree
10 ought not to have been made against such defendant, the same may be set aside,
11 altered or amended, so far as it affects property rights, as shall seem just, and
12 in other respects in the discretion of the court; otherwise the same shall be
13 ordered to stand confirmed against said defendant."

14 "§ 19. When any final decree shall be entered against any defendant who
15 shall not have been summoned or been served with a copy of the bill, or received
16 the notice required to be sent him by mail, and such person, his heirs, devisees,
17 executor, administrator, or other legal representative, as the case may require,
18 shall, within one year after notice in writing given him of such decree, or
19 within three years after such decree if no such notice shall have been given, as
20 aforesaid, appear in open court and petition to be heard touching the matter of

21 such decree, and shall pay such costs as the court shall deem reasonable in that
22 behalf; the person so petitioning may appear and answer the complainant's bill,
23 and thereupon such proceeding shall be had as if the defendants had appeared
24 in due season and no decree had been made. And if it shall appear upon the
25 hearing that such decree ought not to have been made against such defendant,
26 the same may be set aside, altered or amended, so far as it affects property rights,
27 as shall appear just, and in other respects in the discretion of the court; other-
28 wise the same shall be ordered to stand confirmed against said defendant. The
29 decree shall, after three years from the making thereof, if not set aside in man-
30 ner aforesaid, be deemed and adjudged confirmed against such defendant, and
31 all persons claiming under him by virtue of any act done subsequent to the
32 commencement of such suit; and at the end of such three years the court may
33 make such further order in the premises as may be required to carry the same
34 into effect."

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1. Reported to House February 8, 1883.
 2. First reading February 10, 1883.
 3. Second reading March 22, 1883, and on motion of Mr. Pearson, was temporarily postponed and ordered printed.
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A BILL

For An Act to amend sections seventeen and nineteen, of an act entitled "An act to regulate the practice in courts of chancery," approved March 15, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections seventeen and nineteen, of an act entitled
3 "An act to regulate the Practice in courts of chancery," approved March
4 15, 1872, in force July 1, 1872, be amended so as to read as follows:

5 "Section 17. If the defendant shall appear at the next term and offer to
6 file his answer to the bill, the court may permit him to do so upon his show-
7 ing sufficient cause; and paying the costs of the preceding terms, and there-
8 upon such proceedings shall be had as if the defendant had appeared in
9 due season and no decree had been entered. And if it shall appear upon
10 the hearing that such decree ought not to have been made against such de-
11 fendant, the same may be set aside, altered or amended, so far as it affects
12 property rights, as shall seem just, and in other respects in the discretion of
13 the court; otherwise the same shall be ordered to stand confirmed against
14 said defendant.

15 "Section 19. When any final decree shall be entered against any de-
16 fendant who shall not have been summoned or been served with a copy of
17 the bill, or received the notice required to be sent him by mail, and such
18 person, his heirs, devisees, executor, administrator, or other legal representa-

19 tive, as the case may require, shall, within one year after notice in writing
20 given him of such decree, or within three years after such decree if no such
21 notice shall have been given, as aforesaid, appear in open court and petition
22 be heard touching the matter of such decree, and shall pay such costs as
23 the court shall deem reasonable in that behalf. The person so petitioning
24 may appear and answer the complainant's bill, and thereupon such pro-
25 ceeding shall be had as if the defendant had appeared in due season and
26 no decree had been made. And if it shall appear upon the hearing that
27 such decree ought not to have been made against such defendant, the same
28 may be set aside, altered or amended, so far as it affects property rights,
29 as shall appear just, and in other respects in the discretion of the court;
30 otherwise the same shall be ordered to stand confirmed against said de-
31 fendant. The decree shall, after three years from the making thereof, if
32 not set aside in manner aforesaid, be deemed and adjudged confirmed
33 against such defendant and all persons claiming under him, by virtue of any
34 act done subsequent to the commencement of such suit; and at the end of
35 such three years the court may make such further order in the premises as
36 may be required to carry the same into effect."

1. Introduced by Mr. Lemma, January 17, 1883, and ordered to first reading.
2. First reading January 17, 1883, and referred to Committee on Judiciary.
3. Reported back February 9, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act in regard to practice in courts of record," approved February 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That section forty nine of the Revised Statutes, entitled
3 "An act in regard to practice in courts of record," approved February 22,
4 1872, in force July 1, 1872, be and the same is hereby amended, so as to read
5 as follows:
6 "Section 1. In all civil actions, each party shall be entitled to a challenge
7 of six jurors without showing cause for such challenge.
8 "Section 2. All acts or parts of acts in conflict with this act are hereby
9 repealed."

AMENDMENTS TO SENATE BILL NO. 55, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend title by inserting after the word, "bill" in line one (1) the
2 words, "for an act."
- 3 2. Amend title by inserting after the word, "amend" in line one (1) the
4 following: "Section 48 of."

- 5 3. Amend by inserting before the word, "be" in line six (6) the following:
6 "Section 1."
- 7 4. Amend by striking out the word, "nine" where the same occurs in
8 line nine (9), and insert in lieu thereof the word "eight."
- 9 5. Amend by striking out of lines 9 and 10 the words, "the Revised
10 Statutes," and insert in lieu thereof the following: "An act."
- 11 6. Amend by striking out of line 18, the word and figure, "Section 1,"
12 and insert in lieu thereof the following: "Section 48."

-
1. Introduced by Mr. Lemma, January 17, 1883, and ordered to first reading.
 2. First reading January 17, 1883, and referred to Committee on Judiciary.
 3. Reported back February 9, 1883, with amendments, passage recommended, and ordered to second reading.
 4. Second reading March 1, 1883, amended, and ordered to third reading.
-

A BILL

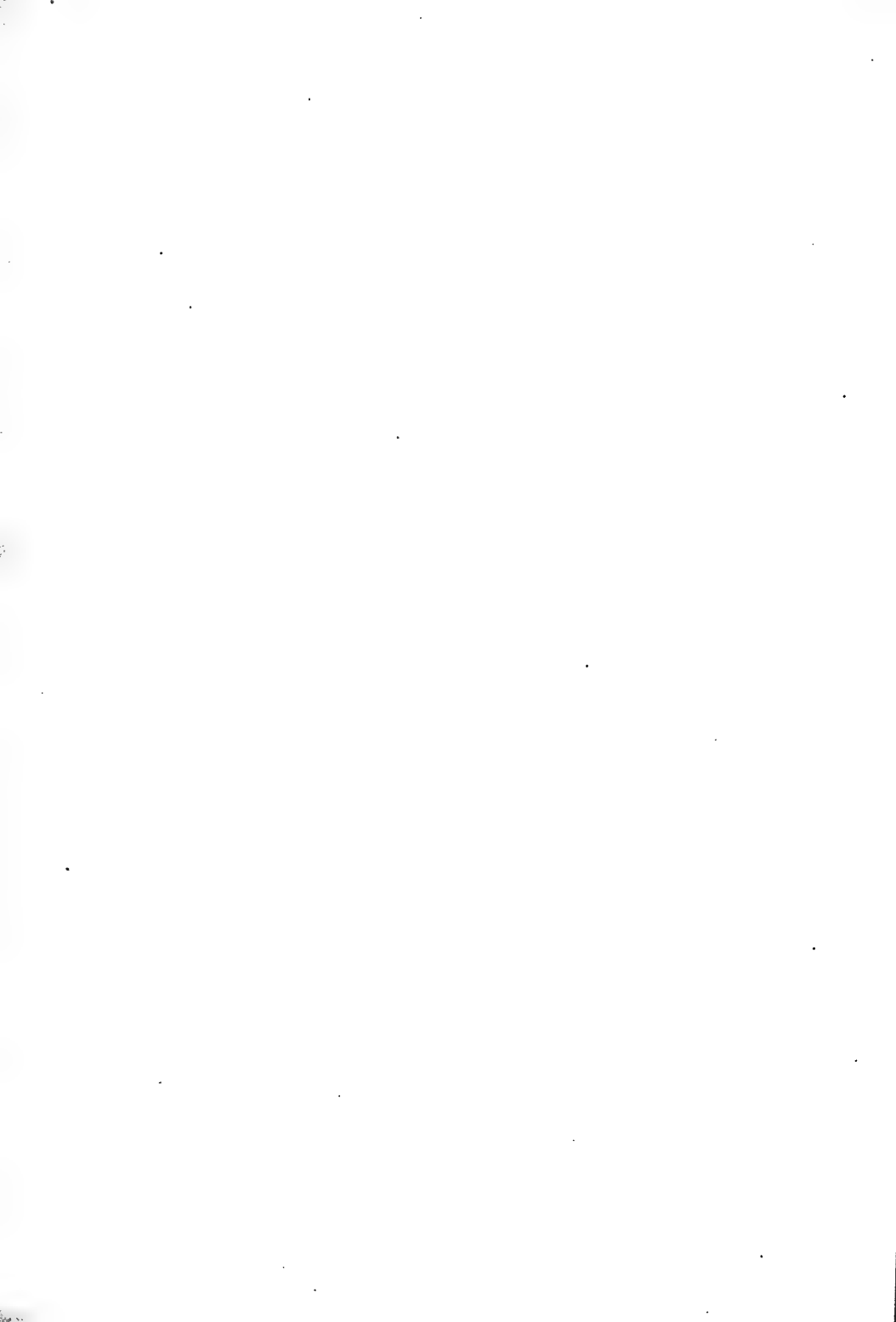
For An Act to amend section 48 of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That section forty-eight of an act entitled "An act in re-
3 gard to practice in courts of record," approved February 22, 1872, in force
4 July 1, 1872, be and the same is hereby amended, so as to read as follows:

5 "Section 48. In all civil actions, each party shall be entitled to a challenge
6 of six jurors without showing cause for such challenge.

7 "Section 2. All acts or parts of acts in conflict with this act are hereby
8 repealed."



1. Reported to House March 30, 1883.
2. First reading April 7, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading April 20, 1883.

A BILL

For An Act to amend section 48 of an act entitled "An act in regard to practice in courts of record,"

approved February 22, 1872, in force July 1, 1872.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
- 2 *Assembly:* That section forty-eight of an act entitled "An act in regard to practice in courts of
- 3 record," approved February 22, 1872, in force July 1, 1872, be, and the same is hereby amended,
- 4 so as to read as follows:
- 5 "Section 48. In all civil actions, each party shall be entitled to a challenge of six jurors
- 6 without showing cause for such challenge.
- 7 "Section 2. All acts or parts of acts in conflict with this act are hereby repealed."



-
1. Introduced by Mr. Hereley, January 17, 1883, and ordered to first reading.
 2. First reading January 17, 1883, and referred to Committee on Judiciary.
 3. Reported back February 13, 1883, with amendment, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend sections 52, 53 and 54 of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections 52, 53 and 54 of an act entitled "An act in regard to practice in courts of record," approved February 22, 1872, be and the same are hereby amended so as to read as follows:*

"Section 52. Hereafter no judge shall instruct the petit jury in any case, civil or criminal, unless such instructions are first reduced to writing, or unless the judge, when he instructs the jury orally, shall cause such oral instructions to be taken down, at the time they are given, by a competent stenographer, and shall, after the trial of the cause, at the request of either party, cause the same to be written out and placed on file with the other papers in such case. Whenever a stenographer is so employed the judge shall fix the amount of his compensation, which shall be paid by the county in which the court is held.

"Section 53. And when instructions are asked which the judge cannot give, he shall, unless he instructs the jury orally, write on the margin thereof the word "refused," and such as he approves he shall, unless he instructs the jury orally, write on the margin thereof the word "refused," and he shall in no case, after instructions in writing are given, qualify, modify or in any manner explain the same to the jury otherwise than in writing. When the judge

20 instructs the jury orally, any instruction offered by either party which con-
21 tains a proposition of law not embodied in such oral instructions shall be
22 considered as having been refused by the judge. Exceptions to the giving
23 or refusing of instructions may be entered at any time before the entry of
24 final judgment in the case.

25 "Section 54. And when written instructions are given they shall be taken
26 by the jury in their retirement, and returned by them with their verdict into
27 court."

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

AMENDMENT TO SENATE BILL NO. 59, PROPOSED BY THE COMMIT-
TEE ON JUDICIARY.

Amend section 53 by striking out of line six (6) of written bill the word
2 "refused," and insert in lieu thereof the word "given."

1. Introduced by Mr. Whiting, January 18, 1883, and ordered to First Reading.
2. First Reading January 18, 1883, and referred to Committee on Revenue.
3. Reported back January 31, 1883, passage recommended, and ordered to Second reading.

A BILL

For An Act to License and to provide for Taxing Persons, Companies or Corporations doing Express Business on any Railroad in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That each and every person, company or corporation, whether
3 residing, incorporated or organized in this State or out of this State, doing
4 express business on any railroad in this State, shall make an annual report to
5 the Auditor of Public Accounts, on or before the 10th day of January, 1884, and
6 in like time in each year thereafter; which report shall state the number and
7 location of their offices in this State, the railroads over which they conduct their
8 business, and the number of miles in this State they do express business.
9 together with a statement of the proper person or officer, stating the gross
10 amount of all their receipts in this State, from every source of their business,
11 received during the year ending the preceding 31st day of December, at the
12 close of that day. This report, with the statement of the gross amount of money
13 so received, shall be verified by the oath of the proper person or officer as to its
14 truth.

§ 2 It shall not be lawful, after January 10, 1884, for any person, company or
2 corporation to carry on the business of receiving, forwarding or delivering
3 goods, packages or parcels by express, for hire, without first making the report
4 as herein required, and procuring from the Auditor a certificate of authority, or
5 license; and it shall be a condition precedent to the issuing of the license, and

6 its annual renewal by the Auditor, that the person, company or corporation
 7 making the report shall pay into the State treasury a specific State tax of one
 8 per cent. of the gross amount received by said person, company or corporation
 9 within this State, as before named, for the year included in the report provided
 10 for in section one of this act; which said specific tax may be recovered in any
 11 court of competent jurisdiction, at the suit of this State; and in case of a failure
 12 to pay, it shall be the duty of the Attorney General to prosecute such suit.

§ 3. It shall be the duty of the State Treasurer to give his receipt in duplicate
 2 for all moneys paid into the State treasury under the provisions of this act; and
 3 the Auditor, on the presentation of this receipt, shall issue as many copies of
 4 the annual certificate, or license, as may be desired by said company, not exceed-
 5 ing one for each agent or place of business of said person, company or corpora-
 6 tion in this State.

§ 4. Any person, company or corporation violating the provisions of this act,
 2 shall, upon conviction thereof, be fined in any sum not less than ten (10) and
 3 not exceeding one hundred dollars (\$100) for each and every act, at the discre-
 4 tion of the court. Violations of the provisions of this act may be prosecuted in
 5 the name of the People of the State of Illinois; and it shall be the duty of the
 6 State's Attorney of each county in the State to prosecute for any violation of
 7 the provisions of this act. Such prosecution may be carried on either by indict-
 8 ment, information filed by the State's Attorney, or by an action of debt for the
 9 penalties incurred.

§ 5. Any person, company or corporation complying with the requirements
 2 of this act, and receiving the specified certificate, or license, from the Auditor
 3 of Public Accounts, shall be permitted to do business in any part of the State.

§ 6. The moneys received under the provisions of this act shall be placed in
 2 the revenue fund for State purposes.

1. Introduced by Mr. Whiting, January 18, 1883, read first time, and referred to Committee on Revenue.
2. Reported back, and passage recommended.
3. Recommitted to Committee on Revenue February 8, 1883.
4. Reported back February 15, 1883, passage recommended and ordered to a second reading.
5. Second reading February 27, 1883, and ordered to a third reading.
6. Third reading March 8, 1883, and recommitted to Committee on Judiciary.
7. Reported back, with amendment, May 11, 1883, "Do not pass as amended;" minority report, "Do not pass without amendment," substituted for majority report, and bill ordered to second reading.

A BILL

For An Act to license and to provide for taxing persons, companies or corporations doing express business on any railroad in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That each and every person, company or corporation,
3 whether residing, incorporated or organized in this State or out of this
4 State, doing express business on any railroad in this State, shall make an
5 annual report to the Auditor of Public Accounts, on or before the 10th day
6 of January 1884, and in like time in each year thereafter; which report shall
7 state the number and location of their offices in this State, the railroads
8 over which they conduct their business and the number of miles in this
9 State they do express business, together with a statement of the proper
10 person or officer, stating the gross amount of all their receipts in this State,
11 from every source of their business, received during the year ending the
12 preceding 31st day of December, at the close of that day. This report, with
13 the statement of the gross amount of money so received, shall be verified by
14 the oath of the proper person or officer as to its truth.

§ 2. It shall not be lawful, after January 10, 1884, for any person, company
2 or corporation to carry on the business of receiving, forwarding or delivering
3 goods, packages or parcels by express, for hire, without first making the

4 report as herein required, and procuring from the Auditor a certificate of
 5 authority or license; and it shall be a condition precedent to the issuing of
 6 the license, and its annual renewal by the Auditor, that the person, company
 7 or corporation making the report shall pay into the State treasury a specific
 8 State tax of one per cent. of the gross amount received by said person,
 9 company or corporation within this State, as before named, for the year
 10 included in the report provided for in section one of this act; which said
 11 specific tax may be recovered in any court of competent jurisdiction, at the
 12 suit of this State; and in case of a failure to pay, it shall be the duty of
 13 the Attorney General to prosecute such suit.

§ 3. It shall be the duty of the State Treasurer to give his receipt in
 2 duplicate for all moneys paid into the State treasury under the provisions
 3 of this act; and the Auditor, on the presentation of the receipt, shall issue
 4 as many copies of the annual certificate or license as may be desired by said
 5 company, not exceeding one for each agent or place of business of said
 6 person, company or corporation in this State.

§ 4. Any person, company or corporation violating the provisions of this
 2 act shall, upon conviction thereof, be fined in any sum not less than ten
 3 (10) and not exceeding one hundred dollars (\$100) for each and every act, at
 4 the discretion of the court. Violations of the provisions of this act may be
 5 prosecuted in the name of the People of the State of Illinois; and it shall
 6 be the duty of the State's attorney of each county in this State to prosecute
 7 for any violation of the provisions of this act. Such prosecution may be
 8 carried on either by indictment, information filed by the State's attorney, or
 9 by an action of debt for the penalties incurred.

§ 5. Any person, company or corporation complying with the requirements
 2 of this act, and receiving the specified certificate or license from the Auditor
 3 of Public Accounts, shall be permitted to do business in any part of this
 4 State.

§ 6. The moneys received under the provisions of this act shall be placed
 2 in the revenue fund for State purposes.

-
1. Introduced by Mr. Clark, January 18th, 1883, and ordered to first reading.
 2. First reading January 18th, 1883, and referred to Committee on Judicial Department.
 3. Reported back January 24th, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to repeal section sixty-six (66) of an act entitled "An Act in regard to Practice in Courts of Record," approved February 23d, 1872, in force July 1st, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section sixty-six (66) of an act entitled "An Act in re-
3 gard to Practice in Courts of Record," approved February 23d, 1882, in force
4 July 1st, 1882; be, and the same is hereby repealed.



-
1. Introduced by Mr. Clark. January 18, 1883, and ordered to first reading.
 2. First reading. January 18, 1883, and referred to Committee on Judicial Department.
 3. Reported back, passage recommended, and ordered to second reading.
 4. Second reading. February 1, 1883, amended and ordered to third reading.
-

A BILL

For An Act to repeal section sixty-six (66) of an act entitled "An Act in regard to Practice in Courts of Record," approved February 23, 1872, in force July 1, 1872.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly,* That section sixty-six (66) of an act entitled "An Act in regard to
 - 3 Practice in Courts of Record," approved February 23, 1872, in force July 1, 1872, be, and
 - 4 the same is hereby repealed.



-
1. Introduced by Mr. Clark, January 18, 1883, and ordered to first reading.
 2. First reading, January 18, 1883, and referred to Committee on Judicial Department.
 3. Reported back, passage recommended, and ordered to second reading.
 4. Second reading, February 1, 1883, amended and ordered to third reading.
 5. February 9, 1883, vote reconsidered and put on second reading again, amended and ordered to a third reading as amended.
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A BILL

For An Act to repeal section sixty-five (65) of an act entitled "An Act in regard to Practice in Courts of Record," approved February 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

- 2 *General Assembly,* That section sixty-five (65) of an act entitled "An Act in regard to
- 3 Practice in Courts of Record," approved February 22, 1872, in force July 1, 1872, be, and
- 4 the same is hereby repealed.

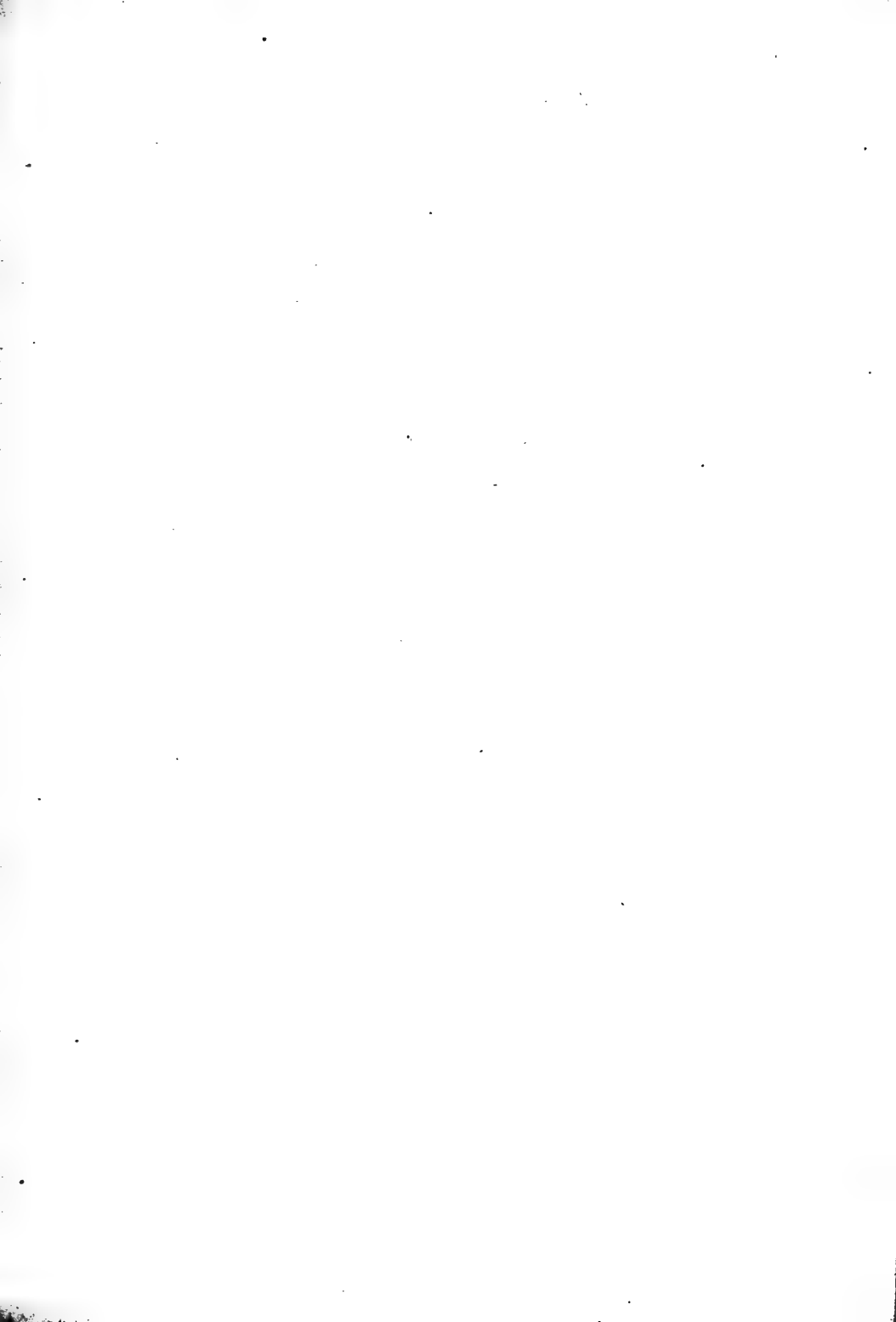
-
1. Reported to House, February 22, 1883.
 2. First reading March 10, 1883, and referred to Committee on Judiciary.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading March 30, 1883.
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A BILL

For An Act to repeal section sixty-five (65), of an act entitled "An act in regard to practice in courts of record," approved February 22, 1873, in force July 1, 1873.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General*

- 2 *Assembly:* That section sixty-five (65), of an act entitled "An act in regard to practice in courts
3 of record," approved February 22, 1873, in force July 1, 1873, be and the same is hereby
4 repealed.



1. Introduced by Mr. Secrest, January 18, 1883, and ordered to first reading.
2. First reading January 18, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, and referred to Committee on Appropriations.
4. Reported back May 4, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENTS TO SENATE BILL No. 63, RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend by striking out the first and second items of written bill, (being for the construction and completion of main ward building "B" and "C", south, and for the construction and completion of four detached wards to accommodate two hundred patients, respectively.)
2. Amend by striking out of the third item of written bill, the words and figures, "seven thousand dollars (\$7,000)," (being for additional boiler and pump for water works), and insert in lieu thereof, the words and figures, "six thousand dollars (\$6,000)."
3. Amend by striking out of the fourth item of written bill, the words and figures, "twenty-five hundred dollars (\$2,500)," (being for fire hydrants and hose to protect buildings against fire), and insert in lieu thereof, the words and figures, "one thousand dollars (\$1,000)."
4. Amend by striking out of the fifth item of written bill, the words and figures, "sixteen thousand six hundred and seventy-eight dollars (\$16,678)," (being for the construction of filter bed, pure water basin, and settling basin), and insert in lieu thereof, the words and figures, "twelve thousand dollars (\$12,000)."
5. Amend by striking out of the sixth item of written bill, the words and figures, "eight thousand four hundred and eleven dollars (\$8,411)," (being for the construction and completion of refrigerating house), and insert in lieu thereof, the words and figures, "three thousand dollars (\$3,000)."
6. Amend by striking out the seventh item of written bill, (being for the construction of employees' quarters).
7. Amend the eighth item of written bill, (being for the purchase of additional land), by inserting after the word "of," the following, "not less than one hundred and fifty acres of," and by striking out the words and figures, "six thousand dollars (\$6,000)," and inserting in lieu thereof, the words and figures, "ten thousand dollars (\$10,000)," and further amend said item by

24 adding the following: "The title to be examined and approved by the Attorney General, be-
25 fore warrant is drawn for the amount."

26 8. Amend by striking out the ninth item of written bill, (being for drainage of farm).

27 9. Amend by striking out the tenth item of written bill, (being for excavating and laying
28 pipes for main sewerage, water and gas.)

29 10. Amend the eleventh item of written bill, by striking out the figures and words, "275 new
30 patients and for," and also, "employees' quarters;" also, by striking out the words and figures,
31 "fifteen thousand dollars (\$15,000)," and insert in lieu thereof, the words and figures, "three
32 thousand five hundred dollars (\$3,500)."

33 11. Amend the fourteenth item of written bill, by striking out the words and figures, "two
34 thousand dollars (\$2,000)," (being for improvement of grounds and farm), and insert in lieu
35 thereof, the words and figures, "one thousand dollars (\$1,000)."

36 12. Amend the sixteenth item of written bill, by striking out the words and figures, "twelve
37 hundred dollars (\$1,200)," (being for pipe covering in new buildings), and insert in lieu thereof,
38 the words and figures, "one thousand dollars (\$1,000) "

39 13. Amend the seventeenth item of written bill, by striking out the words and figures, "five
40 thousand dollars (\$5,000)," (being for repairs and improvement), and insert in lieu thereof, the
41 words and figures, "four thousand dollars (\$4,000)."

42 14. Amend the eighteenth item of written bill, by striking out the words and figures, "one
43 hundred and four thousand five hundred dollars (\$104,500)," wherever it may occur in said item,
44 (being for ordinary expenses), and insert in lieu thereof, the words and figures, "one hundred
45 and four thousand dollars (\$104,000)."

A BILL

For An Act making appropriations for the Illinois Eastern Hospital for the Insane at Kankakee.

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

• 2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois Eastern
3 Hospital for the Insane, at Kankakee, for the purposes hereinafter named, and for no other.

- 4 For the construction and completion of main ward building "B" and "C" south, eighty-one
5 thousand one hundred and ninety-one dollars (\$81,191).
- 6 For the construction and completion of four detached wards to accommodate two hundred
7 (200) patients, one hundred and eleven thousand, three hundred and twenty-one dollars and
8 seventy-eight cents (\$111,321.78).
- 9 For additional boiler and pump for water works, seven thousand (\$7,000) dollars.
- 10 For fire hydrants and hose required to protect detached wards and rear buildings against fire,
11 twenty-five hundred dollars (\$2,500).
- 12 For the construction of filter bed, pure water basin and settling basin, sixteen thousand
13 six hundred and seventy-eight dollars (\$16,678).
- 14 For the construction and completion of refrigerating house, eight thousand four hundred and
15 eleven dollars (\$8,411).
- 16 For construction of employees' quarters, twenty thousand dollars (\$20,000).
- 17 For purchase of additional land, six thousand dollars (\$6,000).
- 18 For drainage of farm, one thousand dollars (\$1,000).
- 19 For excavating and laying of pipes for main sewerage, water and gas to proposed new build-
20 ings, five thousand and sixty (\$5,060) dollars.
- 21 For furniture for two hundred and seventy-five (275) new patients, and for fifty (50) patients
22 now present in excess of number provided for; also for additional furniture for kitchen and
23 laundry, for amusement hall, employees' quarters and bath house, fifteen thousand (\$15,000)
24 dollars.
- 25 For library, five hundred (\$500) dollars.
- 26 For musical instruments, means of recreation for patients, one thousand (\$1,000) dollars.
- 27 For improvement of grounds and farm, two thousand (\$2,000) dollars per annum for two years.
- 28 For additional stock and farm implements, two thousand (\$2,000) dollars per annum for two
29 years.
- 30 For pipe covering in new buildings, twelve hundred dollars (\$1,200).
- 31 For repairs and improvements, five thousand (\$5,000) dollars per annum for two years.
- 32 For ordinary expenses, payable quarterly in advance, for the year commencing July 1, 1882,
33 the sum of one hundred and four thousand and five hundred (\$104,500) dollars, and the sum of
34 one hundred and four thousand and five hundred (\$104,500) dollars per annum thereafter until
35 the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the Trustees or their order, only on the terms and manner now provided by law: *And, provided further*, that the sums hereby appropriated for the improvements herein, be the full amounts for the objects specified, and the Trustees shall not make any contract for any portion of the building, or expend any portion of the appropriation hereby made, unless the said appropriation is sufficient to complete all of the said improvements and finish the same.

1. Introduced by Mr. Secrest, January 18, 1883, and ordered to first reading.
2. First reading January 18, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, and referred to Committee on Appropriations.
4. Reported back May 4, 1883, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 9, 1883, amended, and ordered to third reading.

A BILL

For An Act making appropriations for the Illinois Eastern Hospital for the Insane at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois Eastern
3 Hospital for the Insane, at Kankakee, for the purposes hereinafter named, and for no other.

4 For additional boiler and pump for water-works, six thousand dollars (\$6,000).

5 For fire hydrants and hose required to protect detached wards and rear buildings against fire,
6 one thousand dollars (\$1,000).

7 For the construction of filter bed, pure water basin and settling basin, twelve thousand
8 dollars (\$12,000).

9 For the construction and completion of refrigerating house, three thousand dollars (\$3,000).

10 For purchase of not less than one hundred and fifty acres of additional land, ten thousand
11 dollars (\$10,000); the title to be examined and approved by the Attorney General before warrant
12 drawn for the amount.

13 For furniture for fifty (50) patients now present in excess of number provided for; also for
14 additional furniture for kitchen and laundry, for amusement hall, and bath house, three thousand
15 and five hundred dollars (\$3,500).

16 For library, five hundred (\$500) dollars.

17 For musical instruments, means of recreation for patients, one thousand (\$1,000) dollars.

18 For improvement of grounds and farm, one thousand (\$1,000) dollars per annum for two years.

19 For additional stock and farm implements, two thousand (\$2,000) dollars per annum for two

20 years.

- 21 For pipe covering in new buildings, one thousand dollars (\$1,000).
 22 For repairs and improvements, four thousand (\$4,000) dollars per annum for two years.
 23 For ordinary expenses, payable quarterly in advance, for the year commencing July 1, 1883,
 24 the sum of one hundred and four thousand (\$104,000) dollars, and the sum of one hundred and
 25 four thousand (\$104,000) dollars per annum, thereafter until the expiration of the first fiscal
 26 quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the Trustees or their
 3 order, only on the terms and manner now provided by law: *And, provided, further,* that the sums
 4 hereby appropriated for the improvements herein, be the full amounts for the objects specified,
 5 and the Trustees shall not make any contract for any portion of the building, or expend any
 6 portion of the appropriation hereby made, unless the said appropriation is sufficient to com-
 plete all of the said improvements and finish the same.

1. Reported to House May 16, 1883.
2. First reading May 16, 1883, and referred to Committee on Appropriations May 16, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act making appropriations for the Illinois Eastern Hospital for the Insane at Kankakee.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois Eastern
3 Hospital for the Insane, at Kankakee, for the purposes hereinafter named, and for no other.

4 For additional boiler and pump for water-works, six thousand dollars (\$6,000).

5 For fire hydrants and hose required to protect detached wards and rear buildings against fire,
6 one thousand dollars (\$1,000).

7 For the construction of filter bed, pure water basin and settling basin, twelve thousand
8 dollars (\$12,000).

9 For the construction and completion of refrigerating house, three thousand dollars (\$3,000).

10 For purchase of not less than one hundred and fifty acres of additional land, ten thousand
11 dollars (\$10,000); the title to be examined and approved by the Attorney General before warrant
12 drawn for the amount.

13 For furniture for fifty (50) patients now present in excess of number provided for; also for
14 additional furniture for kitchen and laundry, for amusement hall, and bath house, three thousand
15 and five hundred dollars (\$3,500).

16 For library, five hundred (\$500) dollars.

17 For musical instruments, means of recreation for patients, one thousand (\$1,000) dollars.

18 For improvement of grounds and farm, one thousand (\$1,000) dollars per annum for two years.

19 For additional stock and farm implements, two thousand (\$2,000) dollars per annum for two
20 years.

21 For pipe covering in new buildings, one thousand dollars (\$1,000).

22 For repairs and improvements, four thousand (\$4,000) dollars per annum for two years.

23 For ordinary expenses, payable quarterly in advance, for the year commencing July 1, 1883,
 24 the sum of one hundred and four thousand (\$104,000) dollars, and the sum of one hundred and
 25 four thousand (\$104,000) dollars per annum, thereafter until the expiration of the first fiscal
 26 quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the Trustees or their
 2 order, only on the terms and manner now provided by law: *And, provided, further,* that the sums
 3 hereby appropriated for the improvements herein, be the full amounts for the objects specified,
 4 and the Trustees shall not make any contract for any portion of the building, or expend any
 5 portion of the appropriation hereby made, unless the said appropriation is sufficient to com-
 6 plete all of the said improvements and finish the same.

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1. Introduced by Mr. Sunderland, January 20, 1883, and ordered to first reading.
 2. First reading January 20, 1883, and referred to Committee on Judiciary.
 3. Reported back February 3, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to repeal an act entitled "An Act to require officers having in their custody public funds, to prepare and publish an annual statement of the receipt and disbursement of such funds," approved May 30, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That an act entitled "An act to require officers having in their custody
3 public funds, to prepare and publish an annual statement of the receipt and disbursement of
4 such funds," approved May 30, 1881, in force July 1, 1881, be, and the same is, hereby
5 repealed.



1. Introduced by Mr. Wright, January 20, 1883, and ordered to first reading.
2. First reading, January 20, 1883, and referred to Committee on Education and Educational Institutions.
3. Ordered, January 31, 1883, 100 copies be printed for use of Committee.

A BILL

For An Act making appropriations for the Illinois Industrial University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly.* That there be and hereby is appropriated to the Industrial University,
3 at Urbana, for the payment of taxes accruing in the years 1882 and 1883, on lands owned by
4 the State and held for the use of said institution, in the county of Gage, in the State of Ne-
5 braska, and in the counties of Pope, Kandiyoni and Renville, in the State of Minnesota, the
6 sum of two thousand five hundred dollars (\$2,500) per annum.

7 For current repairs and improvements on buildings and grounds for the said university,
8 during the years 1883 and 1884, the sum of three thousand dollars (\$3,000) per annum.

9 For current expenses of the chemical, physical and botanical laboratories of the said uni-
10 versity, and for the purchase of new and improved apparatus for the same, for the years 1883
11 and 1884, the sum of one thousand five hundred dollars (\$1,500) per annum.

12 For current expenses of educational work and the practical instruction of students in the
13 mechanical shops of the said university, for the years 1883 and 1884, the sum of one
14 thousand five hundred dollars (\$1,500) per annum.

15 For the university library and museums, for the years 1883 and 1884, to wit: For the pur-
16 chase of books and publications and for binding the same, one thousand five hundred dollars
17 (\$1,500) per annum; for collecting, preparing and mounting specimens for the cabinets of
18 geology, mineralogy and natural history, one thousand dollars (\$1,000) per annum.

19 For current expenses of instruction in the several departments of the university, for the
20 years 1883 and 1884, fourteen thousand dollars (\$14,000) per annum.

21 For erecting an addition to the machine shop to provide for the instruction of mechanical
22 students in blacksmithing and foundry work, and for the necessary fittings and tools for the
23 same, as per plans and estimates, two thousand five hundred dollars (\$2,500).

24 For the purchase of additional machines and tools for the machine and carpenter shops,
25 two thousand dollars (\$2,000).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw
2 his warrant on the Treasurer for the sums hereby appropriated, upon the order of the presi-
3 dent of the board of trustees of the said university, attested by its secretary, and with the
4 corporate seal of the university:

5 *Provided*, That no part of said sums shall be due and payable to said institution until
6 satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor for
7 all previous expenditures incurred by the institution on account of appropriations heretofore
8 made:

9 *And provided further*, That vouchers shall be taken in duplicate, and original or dupli-
10 cate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditure of
the sums appropriated in this act.

1. Introduced by Mr. Wright, January 20, 1883, and ordered to first reading.
2. First reading January 20, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back March 24, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Industrial University.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

2 *General Assembly:* That there be and hereby is appropriated to the Indus-
3 trial University of Urbana, for the payment of taxes accruing in the years
4 1882 and 1883, on lands owned by the State and held for the use of said in-
5 stitution, in the county of Gage, in the State of Nebraska, and in the coun-
6 ties of Pope, Kandiyohi and Renville, in the State of Minnesota, the sum of
7 two thousand five hundred dollars (\$2,500) per annum.

8 For current repairs and improvements on buildings and grounds for the said
9 University, during the years 1883 and 1884, the sum of three thousand dol-
10 lars (\$3,000) per annum.

11 For current expenses of the chemical, physical and botanical laboratories
12 of the said University, and for the purchase of new and improved apparatus
13 for the same, for the years 1883 and 1884, the sum of one thousand five
14 hundred dollars (\$1,500) per annum.

15 For current expenses of educational work and the practical instruction of
16 students in the mechanical shops of the said University, for the years 1883 and
17 1884, the sum of one thousand five hundred dollars (\$1,500) per annum.

18 For the University library and museums, for the years 1883 and 1884, to-
19 wit: for the purchase of books and publications and for binding the same,

20 one thousand five hundred dollars (\$1,500) per annum; for collecting, pre-
 21 paring and mounting specimens for the cabinets of geology, mineralogy and
 22 natural history, one thousand dollars (\$1,000) per annum.

23 For current expenses of instruction in the several departments of the
 24 University, for the years 1883 and 1884, fourteen thousand dollars (\$14,000)
 25 per annum.

26 For erecting an addition to the machine shop, to provide for the instruc-
 27 tion of mechanical students in blacksmithing and foundry work, and for
 28 the necessary fittings and tools for the same, as per plans and estimates, two
 29 thousand five hundred dollars (\$2,500).

30 For the purchase of additional machines and tools for the machine and
 31 carpenters' shops two thousand dollars (\$2,000).

§ 2. The Auditor of Public Accounts is hereby authorized and directed
 2 to draw his warrant on the Treasurer for the sums hereby appropriated,
 3 upon the order of the president of the board of trustees of the said Uni-
 4 versity, attested by its secretary, and with the corporate seal of the Uni-
 5 versity.

6 *Provided*, That no part of said sums shall be due and payable to said in-
 7 stitution until satisfactory vouchers in detail, approved by the Governor,
 8 shall be filed with the Auditor for all previous expenditures incurred by
 9 the institution on account of appropriations heretofore made.

10 *And provided further*, That vouchers shall be taken in duplicate, and origi-
 11 nal or duplicate vouchers shall be forwarded to the Auditor of Public Ac-
 12 counts for the expenditure of the sums appropriated in this act.

AMENDMENT ADOPTED BY COMMITTEE ON EDUCATION.

Amend by adding the following between lines 3 and 4, on page 2. of the
 2 written bill :

3 "For the salary of the business agent, \$1,000 per annum."

1. Introduced by Mr. Wright, January 20, 1883, read first time, and referred to Committee on Education and Educational Institutions.
2. Reported back with amendments, passage recommended, and ordered to second reading.
3. Second reading April 13, 1883, amended and ordered to third reading.

A BILL

For An Act making appropriations for the Illinois Industrial University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly, That there be and hereby is appropriated to the Industrial University of Urbana, for the payment of taxes accruing in the years 1883 and 1884, on lands owned by the State and held for the use of said institution, in the county of Gage, in the State of Nebraska, and in the counties of Pope, Kandiyohi and Renville, in the State of Minnesota, the sum of two thousand five hundred dollars (\$2,500) per annum.

For current repairs and improvements on buildings and grounds for the said university, during the years 1883 and 1884, the sum of three thousand dollars (\$3,000) per annum.

For current expenses of the chemical, physical and botanical laboratories of the said university, and for the purchase of new and improved apparatus for the same, for the years 1883 and 1884, the sum of one thousand five hundred dollars (\$1,500) per annum.

For current expenses of educational work and the practical instruction of students in the mechanical shops of the said university, for the years 1883 and 1884, the sum of one thousand five hundred dollars (\$1,500) per annum.

For the university library and museums, for the years 1883 and 1884, to-wit: for the purchase of books and publications and for binding the same, one thousand five hundred dollars (\$1,500) per annum; for collecting, preparing and mounting specimens for the cabinets of geology, mineralogy and natural history, one thousand dollars (\$1,000) per annum.

For current expenses of instruction in the several departments of the university, for the years 1883 and 1884, fourteen thousand dollars (\$14,000) per annum.

21 For erecting an addition to the machine shop to provide for the instruction of mechanical
22 students in blacksmithing and foundry work, and for the necessary fittings and tools for the
23 same, as per plans and estimates, two thousand five hundred dollars (\$2,500).

24 For the purchase of additional machines and tools for the machine and carpenters' shops,
25 two thousand dollars (\$2,000).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw
2 his warrant on the Treasurer for the sums hereby appropriated, upon the order of the presi-
3 dent of the board of trustees of the said university, attested by its secretary, and with the
4 corporate seal of the university:

5 *Provided*, That no part of said sums shall be due and payable to said institution until
6 satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor for
7 all previous expenditures incurred by the institution on account of appropriations heretofore
8 made:

9 *And provided further*, That vouchers shall be taken in duplicate, and original or dupli-
10 cate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditure of
11 the sums appropriated in this act.

1. Reported to House April 21, 1883.
2. First reading April 30, 1883, and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Industrial University.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That there be and hereby is appropriated to the Industrial University
3 of Urbana, for the payment of taxes accruing in the years 1883 and 1884, on lands owned by
4 the State and held for the use of said institution, in the county of Gage, in the State of Ne-
5 braska, and in the counties of Pope, Kandiyohi and Renville, in the State of Minnesota, the
6 sum of two thousand five hundred dollars (\$2,500) per annum.

7 For current repairs and improvements on buildings and grounds for the said university,
8 during the years 1883 and 1884, the sum of three thousand dollars (\$3,000) per annum.

9 For current expenses of the chemical, physical and botanical laboratories of the said uni-
10 versity, and for the purchase of new and improved apparatus for the same, for the years 1883
11 and 1884, the sum of one thousand five hundred dollars (\$1,500) per annum.

12 For current expenses of educational work and the practical instruction of students in the
13 mechanical shops of the said university, for the years 1883 and 1884, the sum of one
14 thousand five hundred dollars (\$1,500) per annum.

15 For the university library and museums, for the years 1883 and 1884, to-wit: for the pur-
16 chase of books and publications and for binding the same, one thousand five hundred dollars
17 (\$1,500) per annum; for collecting, preparing and mounting specimens for the cabinets of
18 geology, mineralogy and natural history, one thousand dollars (\$1,000) per annum.

19 For current expenses of instruction in the several departments of the university, for the
20 years 1883 and 1884, fourteen thousand dollars (\$14,000) per annum.

21 For erecting an addition to the machine shop to provide for the instruction of mechanical

22 students in blacksmithing and foundry work, and for the necessary fittings and tools for the
23 same, as per plans and estimates, two thousand five hundred dollars (\$2,500).

24 For the purchase of additional machines and tools for the machine and carpenters' shops,
25 two thousand dollars (\$2,000).

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw
2 his warrant on the Treasurer for the sums hereby appropriated, upon the order of the presi-
3 dent of the board of trustees of the said university, attested by its secretary, and with the
4 corporate seal of the university: *Provided*, that no part of said sums shall be due and
5 payable to said institution until satisfactory vouchers in detail, approved by the Governor,
6 shall be filed with the Auditor for all previous expenditures incurred by the institution on
7 account of appropriations heretofore made: *And provided further*, that vouchers shall be
8 taken in duplicate, and original or duplicate vouchers shall be forwarded to the Auditor of
9 Public Accounts for the expenditure of the sums appropriated in this act.

1. Introduced by Mr. Hamilton, January 20, 1883, and ordered to first reading.
2. First reading January 20, 1883, and referred to Committee on Judicial Department.
3. Reported back February 8, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act concerning voluntary assignments and conferring jurisdiction therein upon county courts," approved May 22, 1877.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 General Assembly, That an act entitled "An act concerning voluntary assign-
3 ments and conferring jurisdiction therein upon county courts," approved
4 May 22, 1877, be and the same is hereby amended by adding thereto the
5 following sections, to wit:

6 "Section 16. That if any person, being insolvent, or in contemplation of
7 insolvency, and with a view of giving a preference thereby to any creditor
8 or creditors, or person who is under any liability for him, shall, within sixty
9 days before he or she makes an assignment under this act, procure any
10 part of his property to be seized under any process of law, make any pay-
11 ment, pledge, transfer, or conveyance of any part of his property, either
12 directly or indirectly, absolutely or conditionally, and the person or persons
13 for whose benefit said property is seized, or to whom said payment, pledge,
14 transfer or conveyance is made, has or have reasonable ground to believe
15 at the time of such seizure or receiving said property that said seizure, pay-
16 ment, pledge, transfer or conveyance is so made with a view of giving such
17 preference as aforesaid, then every such seizure, payment, pledge, transfer

18 or conveyance shall be void, and the assignee or assignees may recover said
19 property, or the value thereof, from the person or persons so seizing or
20 receiving the same.

21 "Section 17. If the assignee or assignees of any creditor shall state upon
22 oath to the court, that he or they believe that any person has in his or her
23 possession, or has concealed or embezzled, any goods, chattels, money, books
24 of account, papers, any evidences of debt whatever, or titles to lands belong-
25 ing to the debtor, or that he or they believe that any person has any
26 knowledge or information of or concerning any evidences of indebtedness,
27 or property, titles or effects belonging to the debtor, which knowledge or
28 information is necessary to recover the same by suit or otherwise by the
29 assignee or assignees, of which the assignee or assignees are ignorant, and
30 that such person refuses to give the assignee or assignees such knowledge or
31 information, the court shall require such person to appear before it by
32 citation, and may examine him on oath, and hear the testimony of the
33 assignee or assignees, and other evidence offered by either party, and make
34 such order in the premises as the case may require.

35 "Section 18. If such person refuses to answer such proper interrogatories
36 as may be propounded to him, or refuses to deliver up such property or
37 effects, or in case the same has been converted, the proceeds or value thereof,
38 upon a requisition being made for that purpose by an order of the court,
39 the court may commit such person to jail until he comply with the order of
40 the court therein."

1. Introduced by Mr. Merritt, January 22, 1883, and ordered to first reading.
2. First reading January 22, 1883, and referred to Committee on Judiciary.
3. Reported back February 14, 1883, recommitted February 17, 1883.
4. Reported back February 21, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to establish Appellate Courts,"
approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That section eight of the aforesaid act be and the same is
3 hereby amended to read as follows, to-wit:
4 "[Section 8.] The said appellate courts created by this act shall exercise
5 appellate jurisdiction only, and have jurisdiction of all matters of appeal,
6 or writs of error from the final judgments, orders or decrees of any of the
7 circuit courts, or the superior court of Cook county, or from the city courts
8 in any suit or proceeding at law, or in chancery other than criminal cases
9 and cases involving a franchise or freehold or the validity of a statute.
10 Appeals and writs of error shall lie from the final orders, judgments or
11 decrees of the circuit and city courts, and from the superior court of Cook
12 county, directly to the Supreme Court, in all criminal cases and in cases
13 involving a franchise or freehold or the validity of a statute. In all cases
14 determined in said appellate courts in actions *ex contractu*, wherein the
15 amount involved is less than one thousand dollars (\$1,000), exclusive of
16 costs; and in all cases sounding in damages, wherein the judgment of the
17 court below is for the plaintiff and is for a less sum than one thousand
18 dollars (\$1,000), exclusive of costs, and the judgment is affirmed or otherwise

19 finally disposed of in the appellate court, the judgment, order or decree of
 20 the appellate court shall be final, and no appeal shall lie, or writ of error
 21 be prosecuted therefrom: *Provided*, the term, "*ex contractu*," as used in this
 22 section, shall not be construed to include actions involving a penalty. In
 23 all other cases, appeals shall lie and writs of error may be prosecuted from
 24 the final judgments, orders or decrees of the appellate courts to the Supreme
 25 Court: *Provided, also*, that in any case a majority of the judges of the
 26 appellate court shall be of opinion that a case decided by them involving a
 27 less sum than one thousand dollars (\$1,000) exclusive of costs, also involves
 28 questions of law of such importance, either on account of principal or col-
 29 lateral interests, as that it should be passed upon by the Supreme Court,
 30 they may in such cases grant appeals and writs of error to the Supreme
 31 Court, on petition of parties to the cause, in which case the said appellate
 32 court shall certify to the Supreme Court the grounds of granting said
 33 appeal.

34 This amended section shall apply to all cases heretofore decided, from
 35 which a writ of error or appeal will lie, under the existing practice."

AMENDMENTS TO SENATE BILL NO. 70, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend by striking out of line two of section one the words "the afore-
 2 said act," and insert in lieu thereof the following: "An act entitled 'An
 3 act to establish Appellate Courts.'"
- 4 2. Amend by inserting before the word "the" in the fourth line of sec-
 5 tion one, the word and figure "Section 8."

1. Introduced by Mr. Clark January 22, 1883, and ordered to first reading.
2. First reading January 22, 1883, and referred to Committee on Mines and Mining.
3. Reported back May 17, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section three of an act entitled, "An act providing for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section three, of an act entitled, "An act providing
3 for the health and safety of persons employed in coal mines," approved
4 May 28, 1879, in force July 1, 1879, be amended, to read as follows:
5 "Section 3. In all coal mines that are now, or that shall hereafter go into
6 operation, and which are worked by or through a shaft, slopes or drift, and
7 in which more than ten miners are employed in each twenty-four hours, if
8 there is not already an escapement shaft to each and every said coal mine,
9 or communication between each and every coal mine, and some other con-
10 tiguous mine, then there shall be an escapement shaft for other communica-
11 tion, such as shall be approved by the mine inspector, making at least two
12 distinct means of ingress and egress for all persons employed or permitted to
13 work in such coal mine. Such escapement shaft or other communication with
14 a contiguous mine as aforesaid, shall be constructed in connection with every
15 vein or stratum of coal worked in such coal mine; and the time to be allowed
16 for such construction shall be one year when such mine is under one hun-
17 dred (100) feet in depth; two years when such mine is over one hundred
18 (100) feet in depth and under three hundred (300) feet, and three years when it

19 is over three hundred (300) feet and under four hundred (400) feet, and four
20 years when it is over four hundred (400) feet in depth, and under five hun-
21 dred (500) feet, and five years for all mines over five hundred (500) feet, from
22 the time this act goes into effect; and in all cases where the working force of
23 one mine has been driven up to, or into the workings of another mine, the
24 respective owners of such mine, while operating the same, shall keep open a
25 roadway of at least two and one-half feet high and four feet wide, thereby
26 forming a communication as contemplated in this act; and for a failure to do
27 so shall be subject to the penalty provided for in section ten of this act, for
28 each and every day such roadway is unnecessarily closed; each and every
29 such an escapement shaft shall be separated from the main shaft by such
30 extent of natural strata as shall secure safety to the men employed in such
31 mines; such distance to be left to the discretion of the mine inspector or
32 person acting in that capacity. And it shall not be lawful for the owner
33 agent or operator of any such coal mines, as aforesaid, to employ any person
34 to work therein, or permit any person to go therein for the purpose of work-
35 ing except such persons as may be necessary to construct such an escapement
36 shaft, unless the requirements of this section shall have first been complied
37 with. And the term owner used in this act shall mean the immediate proprie-
38 tor, lessee or occupant of any coal mine or any part thereof, and the term agent
39 shall mean any person having on behalf of the owner the care or management
40 of any coal mine or any part thereof."

1. Introduced by Mr. Secrest, January 22, 1883, and ordered to first reading.
- 2 First reading January 23, 1883, and referred to Committee on Judicial Department.
3. Reported back February 27, 1883, passage recommended and ordered to Second reading.

A BILL

For An Act to amend an act entitled "An act to secure the free passage of fish in all of the waters of this State," approved March 25, 1874, in force July 1, 1874, as amended May 31, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section one (1) of an act entitled "An act to secure the free passage of fish in all the waters of this State," approved March 25, 1874, in force July 1, 1874, as amended May 31, 1879, in force July 1, 1879, be so amended as to read as follows:

"Section 1. That it shall be the duty of any person or persons who now own, or may hereafter erect any dam or other obstruction across any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water courses within this State, to place therein and maintain suitable fishways in order that the free passage of fish up or down through such waters may not be obstructed; such fishways to be approved by the State Fish Commissioners. And any person failing to provide such fishways, with such approval of the State Fish Commissioners, or failing to maintain the same in good condition, shall be subject to a fine not exceeding \$200 per year, to be recovered before any justice of the peace in the county or counties where such dam or obstruction may be placed: *Provided*, that this act shall not apply to streams, ponds, lakes, sloughs or bayous, that may be obstructed or closed by work or works done under the act of July 1, 1871, entitled "An act to

19 provide for the construction and protection of drains, ditches, levees, and
20 other works," or under any act relating to the construction and protection
21 drains, ditches, levees, and other works, now in force or to be hereafter
22 passed.

§ 2. All fines recovered under this act shall go into the general school
2 fund of the county wherein such fines may be inflicted.

1. Introduced by Mr. Secest, January 22, 1883, and ordered to first reading.
2. First reading January 23, 1883, and referred to Committee on Judicial Department.
3. Reported back February 27, 1883, passage recommended, and ordered to second reading.
4. Second reading March 14, 1883, amended and ordered to third reading.

A BILL

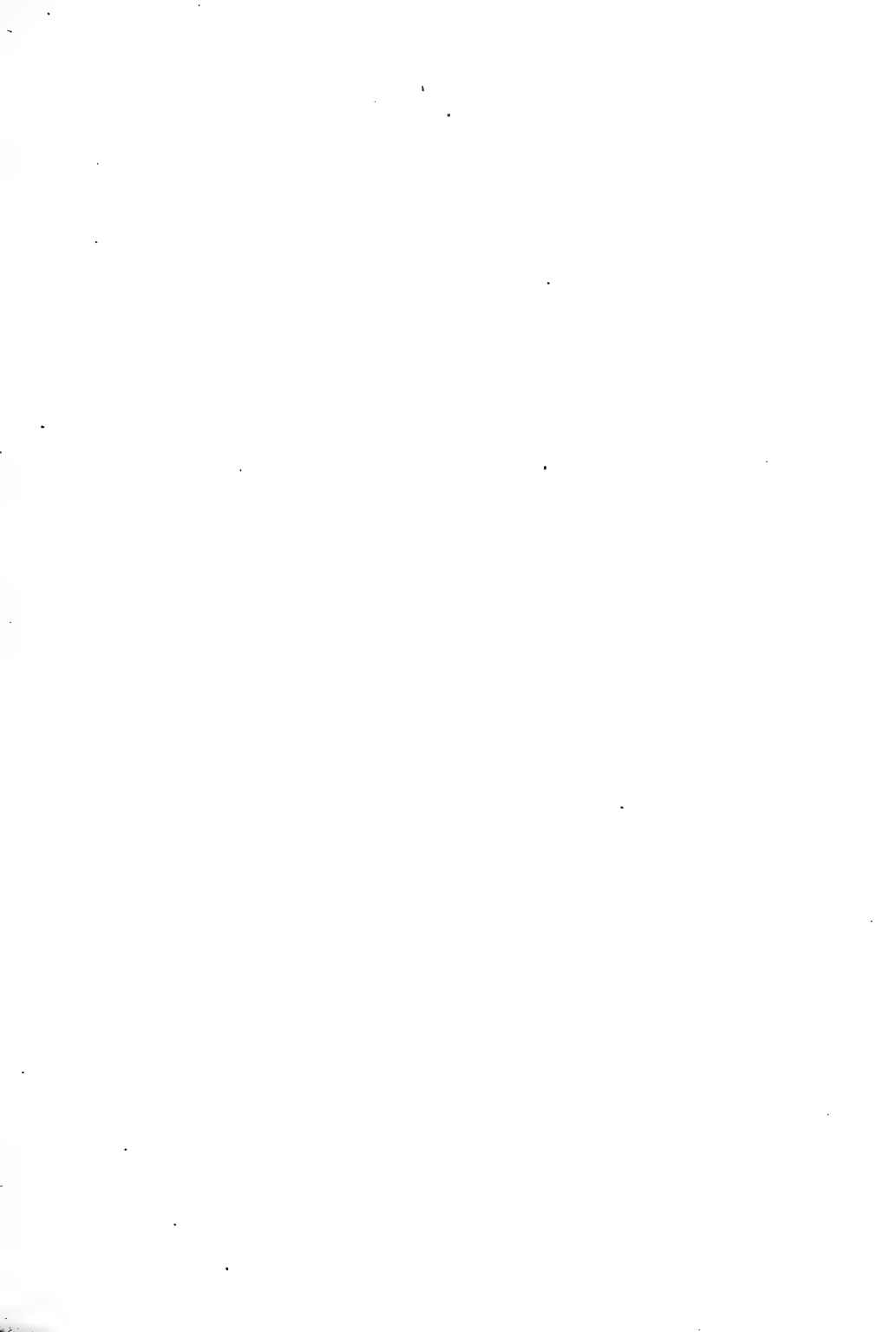
For An Act to amend section one, of an act entitled "An act to secure the free passage of fish in all of the waters of this State," approved March 25, 1874, in force July 1, 1874, as amended by act approved May 31, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

General Assembly: That section one (1), of an act entitled "An act to secure the free passage of fish in all of the waters of this State," approved March 25, 1874, in force July 1, 1874, as amended by act approved May 31, 1879, in force July 1, 1879, be so amended as to read as follows:

"Section 1. That it shall be the duty of any person or persons who now own, or may hereafter erect any dam or other obstruction across any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water courses within this State, to place therein and maintain suitable fishways, in order that the free passage of fish up or down through such waters may not be obstructed; such fishways to be approved by the State Fish Commissioners, and any person failing to provide such fishways, with such approval of the State Fish Commissioners, or failing to maintain the same in good condition, shall be subject to a fine not exceeding \$300 per year, to be recovered before any justice of the peace in the county or counties where such dam or obstruction may be placed: *Provided*, that this act shall not apply to streams, ponds, lakes, sloughs or bayous, that may be obstructed or closed by work or works done under the act of July 1, 1871, entitled 'An act to provide for the construction and protection of drains, ditches, levees and other works,' or under any act relating to the construction and protection of drains, ditches, levees and other works, now in force or to be hereafter passed."

§ 2. All fines recovered under this act shall go into the general school fund of the county wherein such funds may be inflicted.



1. Reported to House April 5, 1883.
2. First reading April 7, 1883, and referred to Committee on Fish and Game.
3. Reported back, passage recommended, report concurred in, and ordered second reading, May 1, 1883.

A BILL

For An Act to amend section 1 of an act entitled "An act to secure the free passage of fish in all the waters of this State," approved March 25, 1874, in force July 1, 1874, as amended by act approved May 31, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section one (1) of an act entitled "An act to secure
3 the free passage of fish in all of the waters of this State," approved March
4 25, 1874, in force July 1, 1874, as amended by act approved May 31, 1879, in force
5 July 1, 1879, be so amended, as to read as follows:
6 "Section 1. That it shall be the duty of any person or persons who now
7 own, or may hereafter erect any dam or other obstruction across any of the
8 rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water-courses
9 within this State, to place therein and maintain suitable fishways, in order
10 that the free passage of fish up or down through such waters may not be
11 obstructed, such fishways to be approved by the State Fish Commissioners;
12 and any person failing to provide such fishways, with such approval of the
13 State Fish Commissioners, or failing to maintain the same in good condition,
14 shall be subject to a fine not exceeding \$900 per year, to be recovered before
15 any justice of the peace in the county or counties where such dam or
16 obstruction may be placed: *Provided*, that this act shall not apply to streams,
17 ponds, lakes, sloughs or bayous that may be obstructed or closed by worker

18 works done under the act of July 1, 1871, entitled "An act to provide for the
19 construction and protection of drains, ditches, levees and other works," or
20 under any act relating to the construction and protection of drains, ditches,
21 levees and other works, now in force or to be hereafter passed."

§ 2. All fines recovered under this act shall go into the general school
2 fund of the county wherein such fines may be inflicted.

1. Introduced by Mr. Merritt, January 23, 1883, and ordered to first reading.
2. First reading January 23, 1883, and referred to Committee on Insurance.
3. Reported back February 16, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the liabilities of fire insurance companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That in all suits brought upon policies of insurance against
3 loss or damage by fire hereafter issued or renewed, the defendant shall not
4 be permitted to deny that the property insured thereby was worth at the time
5 of the insuing of the policy the full amount insured therein on said property;
6 and in case of a total loss of the property insured, the measure of damages shall
7 be the amount for which the same was insured, less whatever depreciation
8 in value, below the amount for which the property is insured, the property
9 may have sustained between the time of issuing the policy and the time of
10 the loss; and the burden of proving such depreciation shall be upon the
11 defendant. And in case of a partial loss, the measure of damages shall be
12 that proportion of the value of the whole property insured, ascertained in the
13 manner hereinabove prescribed, which the part injured or destroyed bears to
14 the whole property insured.

§ 2. When fire insurance policies shall be hereafter issued or renewed by
2 more than one company upon the same property, and suit shall be brought
3 upon any of said policies, the defendant shall not be permitted to deny that
4 the property insured was worth the aggregate of the several amounts for
5 which it was insured at the time the policy was issued or renewed thereon,
6 unless fraud is shown on the part of the insured in obtaining such addi-

7 tional insurance. And in such suit the measure of damages shall be as pro-
8 vided in section one (1) of this act: *Provided*, that whatever depreciation
9 in value below the amount for which the property is insured may be shown,
10 as provided in section one (1) of this act, shall be deducted from the amount
11 insured in each policy in the proportion which the amount insured in each
12 such policy bears to the aggregate of all the amounts so insured on such
13 property.

§ 3. This act shall apply only to real property injured.

1. Reported to House, March 21, 1883.
2. First reading, April 7, 1883, and referred to Committee on Insurance.
3. Reported back, passage recommended, report concurred in, and ordered to second reading, May 3, 1883.

A BILL

For An Act to regulate the liabilities of Fire Insurance Companies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That in all suits brought upon policies of insurance against
3 loss or damage by fire, hereafter issued or renewed, the defendant shall not
4 be permitted to deny that the property insured thereby was worth at the
5 time of the issuing of the policy, the full amount insured therein on said
6 property; and in case of a total loss of the property insured, the measure of
7 damage shall be the amount for which the same was insured, less whatever
8 depreciation in value, below the amount for which the property is insured,
9 the property may have sustained between the time of issuing the policy and
10 the time of the loss; and the burden of proving such depreciation shall be
11 upon the defendant. And in case of a partial loss, the measure of damage
12 shall be that proportion of the value of the whole property insured, ascer-
13 tained in the manner hereinafter prescribed, which the part injured or
14 destroyed bears to the whole property insured.

§ 2. When fire insurance policies shall be hereafter issued or renewed by
2 more than one company upon the same property, and suit shall
3 be brought upon any of said policies, the defendant shall not be
4 permitted to deny that the property insured was worth the aggre-
5 gate of the several amounts for which it was insured at the
6 time the policy was issued or renewed thereon, unless fraud is shown on the
7 part of the insured in obtaining such additional insurance. And in such suit

8 the measure of damage shall be as provided in section one (1) of this act:
9 *Provided*, that whatever depreciation in value below the amount for which
10 the property is insured may be shown, as provided in section one (1) of this
11 act, shall be deducted from the amount insured in each policy in the propor-
12 tion which the amount insured in each such policy bears to the aggregate
13 of all the amounts so insured on such property.

§ 3. This act shall apply only to real property injured.

1. Introduced by Mr. Clark, January 23, 1883, and ordered to first reading.
2. First reading January 23, 1883, and referred to Committee on Judicial Department.
3. Reported back March 28, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections one (1), three (3), four (4) and seven (7), of an act entitled "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections one (1), three (3), four (4) and seven (7), of
3 "An act to provide for changing the names, for changing the places of busi-
4 ness, for increasing or decreasing the capital stock, for increasing or de-
5 creasing the number of directors, and for the consolidation of incorporated
6 companies," approved and in force March 26, 1872, be amended so as to read
7 as follows:

8 "Section 1. That whenever the board of directors, managers or trustees of
9 any corporation existing by virtue of any general or special law of this
10 State, or any corporation hereafter organized by virtue of any law of this
11 State, may desire to increase or decrease the capital stock, to increase or de-
12 crease the number of directors, managers or trustees, or to consolidate said
13 corporation with any other corporation now existing, or which may here-
14 after be organized, they may call a special meeting of the stockholders of
15 such corporation, for the purpose of submitting to a vote of such stockhold-

ers the question of increase or decrease of directors, managers or trustees, increase or decrease of capital stock, or consolidation with some other corporation, as the case may be: *Provided*, that in no case shall the capital stock be diminished to the prejudice of the creditors of such corporation, or the number of directors, managers or trustees be reduced to less than five, or increased to more than eleven: *And, provided, further*, that the provisions of this act, in reference to the consolidation of corporations, shall only apply to corporations of the same kind, engaged in the same general business, carrying on their business in the same vicinity, and that no more than two corporations now existing shall be consolidated into one under the provisions hereof, nor shall any railroad corporation consolidate its capital stock with any other railway owning a parallel or competing line, and on such consolidation the joint names of each may be adopted or the name of either may be retained.

"Section 3. At any such meeting, stockholders may vote in person or by proxy, each stockholder being entitled to one vote for each share of stock held by him; and votes representing two-thirds of all the stock of the corporation shall be necessary for the adoption of the proposed change of number of directors, managers or trustees, amount of capital stock or consolidation with some other company.

"Section 4. If, at any regular annual meeting, or at the time and place specified in said notice of a special meeting called for that purpose, said propositions, or any of them, be submitted to a vote, and if it shall appear that two-thirds of all the votes represented by the whole stock of such corporation are in favor of the propositions, or any of them, so submitted, a certificate thereof, verified by the affidavit of the president, and under seal of said corporation, shall be filed in the office of the Secretary of State, and a like certificate filed for record in the office of the recorder of deeds of the county where the principal business office of such corporation is located. And upon the filing of said certificate the changes proposed and voted for at such meeting as to increase or decrease of capital stock, or number of directors, managers or trustees, or consolidation with some other company,

48 shall be and is hereby declared accomplished in accordance with said vote
49 of the stockholders: *And, provided, further,* that any corporation, other
50 than corporations for manufacturing purposes, availing itself of or accepting
51 the benefits of or formed under this act, shall be subject to the general laws
52 of this State now in force, or which may hereafter be passed, regulating cor-
53 porations of like character.

54 "Section 7. Such change of increase or decrease of capital stock, increase
55 or decrease of number of directors, managers or trustees, or consolidation of
56 one corporation with another, shall not affect suits pending, in which such
57 corporation or corporations shall be parties; nor shall such changes affect
58 causes of action, nor the rights of persons in any particular."



1. Introduced by Mr. Secrest, January 23, 1883, and ordered to first reading.
2. First reading, January 23, 1883, and referred to Committee on Revenue.
3. Reported back February 16, 1883, and recommended not to pass.
4. Minority report, February 16, 1883. Minority report substituted and bill ordered to a second reading and to be printed.

A BILL

For An Act to amend section 24, as amended, of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, as amended May 31, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section twenty-four (24), as amended, of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, as amended May 31, 1879, in force July 1, 1879, be amended so as to read as follows:

"Section 24. Persons required to list personal property shall make out, under oath, and deliver to the assessor at the time required, a schedule of the numbers, amounts, quantity and quality of all personal property in their possession or under their control required to be listed for taxation by them. It shall be the duty of the assessor to determine and fix the fair cash value of all items of personal property, including all grain on hand on the first day of May; and in assessing notes, accounts, bonds and moneys the assessor shall be governed by the same rules of uniformity that he adopts as to the value in assessing other personal property; and the assessor is hereby authorized to administer the oath required in this section. And if any person shall refuse to make such schedule under oath, then the assessor shall list the property of such person according to his best judgment and information, and shall add to the valuation of such list an amount equal to fifty per cent. of

19 such valuation; and if any person making such schedule shall swear falsely
20 he shall be guilty of perjury and punished accordingly. Any person required
21 to so list personal property who shall refuse, neglect or fail, when requested
22 by the proper assessor, either to make such list or to make oath thereto,
23 shall be deemed guilty of a misdemeanor, and on conviction thereof shall be
24 fined in any sum not exceeding two hundred dollars; and the several assess-
25 ors shall report, in writing, any such refusal to the State's attorney of the
26 proper county, who shall preserve such reports, and whose duty it shall be
27 to prosecute the same. And any assessor who shall refuse, neglect or fail to
28 request any person whose duty it shall be to list personal property, and who
29 can be found in his jurisdiction, to make such list and to make oath thereto,
30 or who shall refuse, neglect or fail to report the refusal, neglect or failure
31 of any person requested, as aforesaid, to the State's attorney, shall for every
32 such refusal, neglect or failure be deemed guilty of a misdemeanor, and on
33 conviction shall be fined not exceeding one hundred dollars; and upon a sec-
34 ond conviction it shall be a part of the judgment of the court that he be
35 removed from office. The fact that any list shall not appear upon its face
36 to be sworn to, and the omission of a report to the State's attorney by the
37 proper assessor as to such list, shall, *prima facie*, be sufficient to convict. A
38 copy of this section shall be posted or printed in a conspicuous place in the
39 assessor's book of every assessor."

1. Reported to House March 22, 1883.
2. First reading April 7, 1883, and referred to Committee on Revenue.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 1, 1883.

A BILL

For An Act to amend section twenty-four, as amended, of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, as amended May 31, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

2 *General Assembly:* That section twenty-four (24), as amended, of an act entitled
3 "An act for the assessment of property and for the levy and collection of taxes,"
4 approved March 30, 1872, as amended May 31, 1879, in force July 1, 1879, be
5 amended, so as to read as follows:

6 "Section 24. Persons required to list personal property shall make out, under
7 oath, and deliver to the assessor at the time required, a schedule of the num-
8 bers, amounts, quantity and quality of all personal property in their possession
9 or under their control, required to be listed for taxation by them. It shall be
10 the duty of the assessor to determine and fix the fair cash value of all
11 items of personal property, including all grain on hand, on the first day of
12 May; and in assessing notes, accounts, bonds and moneys, the assessor shall
13 be governed by the same rules of uniformity that he adopts as to the value
14 in assessing other personal property; and the assessor is hereby authorized
15 to administer the oath required in this section. And if any person shall
16 refuse to make such schedule under oath, then the assessor shall list the
17 property of such person according to his best judgment and information,
18 and shall add to the valuation of such list an amount equal to fifty per

19 cent. of such valuation; and if any person making such schedule shall swear
20 falsely he shall be guilty of perjury and punished accordingly. Any person
21 required to so list personal property who shall refuse, neglect or fail, when
22 requested by the proper assessor either to make such list or to make oath
23 thereto, shall be deemed guilty of a misdemeanor, and on conviction thereof,
24 shall be fined in any sum not exceeding two hundred dollars; and the
25 several assessors shall report in writing any such refusal to the State's
26 attorney of the proper county, who shall preserve such reports and whose
27 duty it shall be to prosecute the same. And any assessor who shall refuse,
28 neglect or fail to request any person whose duty it shall be to list personal
29 property, and who can be found in his jurisdiction, to make such list and
30 make oath thereto, or who shall refuse, neglect or fail to report the refusal,
31 neglect or failure of any person requested as aforesaid, to the State's
32 attorney, shall, for every such refusal, neglect or failure, be deemed guilty
33 of a misdemeanor, and on conviction shall be fined not exceeding one
34 hundred dollars, and upon a second conviction it shall be a part of the
35 judgment of the court that he be removed from office. The fact that any
36 list shall not appear upon its face to be sworn to, and the omission of a
37 report to the State's attorney by the proper assessor as to such list, shall
38 *prima facie*, be sufficient to convict. A copy of this section shall be posted
39 or printed in a conspicuous place in the assessor's book of every assessor.

1. Introduced by Mr. Condee, January 23, 1883, and ordered to first reading.
2. First reading January 23, 1883, and referred to the Committee on Judiciary.
3. Reported back February 7, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 83 of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That section eighty-three (83) of an act entitled "An act
3 to provide for the incorporation of cities and villages," approved April 10, 1872,
4 be and is hereby amended so as to read as follows:
5 "Section 83. The trustees in villages, the mayor, aldermen, and the mar-
6 shall and his deputies, policemen and watchmen in cities, if any such be
7 appointed, shall be conservators of the peace by this act, or authorized by any
8 ordinance, shall have power to arrest, or cause to be arrested, with or without
9 process, all persons who shall break the peace, or be found violating any
10 ordinance of the city or village, or any criminal law of the State, commit
11 for examination and, if necessary, detain such persons in custody over night
12 or Sunday in the watch-house or any other safe place, or until they can be
13 brought before the proper magistrate, and shall have and exercise such other
14 powers as conservators of the peace as the city council or board of trustees
15 may prescribe. All warrants for the violation of ordinances, executions issued
16 on judgments for such violations, and all criminal warrants to whomsoever
17 directed, may be served and executed by any policeman of such city or vil

18 lage; such policemen being hereby clothed with all the common law and
19 statutory power of constables for such purposes."

§ 2. Whereas, an emergency exists that this act should take effect without
2 delay, therefore this act shall take effect and be in force from and after its
3 passage.

AMENDMENTS TO SENATE BILL NO. 84, PROPOSED BY THE COMMIT- TEE ON JUDICIARY.

1. Amend the title by striking out the word and figures, "section
2 83," and insert in lieu thereof the words and figures "section 12, of article
3 six (6)."

2. Amend section one (1) by striking out the words and figures, "section
5 eighty-three (83)" and insert in lieu thereof the words and figures, "section
6 12, of article six (6)."

3. Amend by striking out after the word "section" in the first line of the
8 section proposed to be amended, the figures "83," and substitute therefor the
9 figures "12."

4. Amend by inserting after the word "peace" in the third line of the
11 section proposed to be amended, the words, "and all officers created conserv-
12 ators of the peace."

5. Amend by striking out after the word "ordinances" in line thirteen of
14 the section proposed to be amended, the words "executions issued on judg-
15 ments for such violations."

6. Amend by inserting after the word "executed" in next to the last line
17 on first page of the written bill, the words "within the corporate limits of
18 any such city or village."

1. Introduced by Mr. Condee, January 23, 1883, and ordered to first reading.
2. First reading January 23, 1883, and referred to the Committee on Judiciary.
3. Reported back February 7, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading February 20, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 12 of article six (6) of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section 12 of article six (6) of an act entitled "An
3 act to provide for the incorporation of cities and villages," approved April
4 10, 1872, be and is hereby amended so as to read as follows:
5 "Section 12. The trustees in villages, the mayor, aldermen, and the mar-
6 shal and his deputies, policemen and watchmen in cities, if any such be
7 appointed, shall be conservators of the peace, and all officers created conser-
8 vators of the peace by this act, or authorised by any ordinance, shall have
9 power to arrest, or cause to be arrested, with or without process, all persons
10 who shall break the peace, or be found violating any ordinance of the city
11 or village, or any criminal law of the State, commit for examination and,
12 if necessary, detain such persons in custody over night or Sunday in the
13 watch-house or any other safe place, or until they can be brought before
14 the proper magistrate, and shall have and exercise such other powers as
15 conservators of the peace as the city council or board of trustees may pre-
16 scribe. All warrants for the violation of ordinances, and all criminal war-
17 rants to whomsoever directed, may be served and executed within the cor-

18 porate limits of any such city or village, by any policeman of such city or
19 village; such policemen being hereby clothed with all the common law and
20 statutory power of constables for such purposes."

§ 2. Whereas, an emergency exists that this act should [take effect with-
2 out delay, therefore this act shall take effect and be in force from and after
3 its passage.

1. Reported to House, March 2, 1883.
2. First reading March 10, 1883, and referred to Committee on Municipal Affairs.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 21, 1883.

A BILL

For An Act to amend section 12, of article six (6), of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That section 12, of article six (6), of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, be and is hereby amended so as to read as follows:

"Section 12. The trustees in villages, the mayor, aldermen, and the marshal and his deputies, policemen and watchmen in cities, if any such be appointed, shall be conservators of the peace, and all officers created conservators of the peace by this act, or authorized by any ordinance, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace, or be found violating any ordinance of the city or village, or any criminal law of the State, commit for examination, and, if necessary, detain such persons in custody over night or Sunday, in the watch house or any other safe place, or until they can be brought before the proper magistrate, and shall have and exercise such other powers as conservators of the peace as the city council or board of trustees may prescribe. All warrants for the violation of ordinances, and all criminal warrants, to whomsoever directed, may be served and executed within the corporate limits of any such city or village, by any policeman of such city or village, such policemen being hereby clothed with all the common law and statutory power of constables for such purposes."

§ 2. WHEREAS, an emergency exists, that this act should take effect without delay, therefore this act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Condee January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Warehouses.
3. Reported back March 16, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two, of an act entitled "An act to regulate public warehouses, and the warehousing and inspection of grain, and to give effect to article XIII of the constitution of this State," approved April 25, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That section two, of an act entitled "An act to regulate
3 public warehouses, and the warehousing and inspection of grain, and to give
4 effect to article XIII of the constitution of this State," approved April 25,
5 1871, be so amended that it will read as follows:
6 "Section 2. Public warehouses of class A, shall embrace all warehouses,
7 elevators and granaries in which grain is stored in bulk, and in which the
8 grain of different owners is mixed together, or in which the grain is stored
9 in such a manner that the identity of different lots or parcels cannot be
10 accurately preserved, such warehouses, elevators and granaries being located
11 in inspection districts established by the Board of Railroad and Warehouse,
12 Commissioners as hereinafter provided. Public warehouses of class B, shall
13 embrace all other warehouses, elevators and granaries in which grain is
14 stored in bulk, and in which the grain of different owners is mixed together.
15 Public warehouses of class C, shall embrace all other warehouses or places
16 where property of any kind is stored for a consideration. The Railroad and

17 Warehouse Commissioners shall have power to establish and define the boun-
18 daries of inspection districts in which warehouses, elevators and granaries
19 of class A, may be licensed and operated. Each of said districts shall em-
20 brace a city having a population of not less than two hundred thousand
21 inhabitants, and shall not extend beyond the limits of the county in which
22 such city is situated. The chief inspector of grain and all assistant inspectors
23 and other employees in connection therewith, shall be governed in their
24 respective duties by such rules and regulations as are now provided by law,
25 and as may be prescribed by the Board of Railroad and Warehouse Commis-
26 sioners. Said commissioners shall also have the power to fix the rate of
27 charges for the inspection of grain in such districts, and the manner in which
28 the same shall be collected, and which charges shall be so regulated as to pro-
29 duce sufficient revenue to meet the necessary expenses of the service of
30 inspection, and no more: *Provided*, that nothing in this act shall apply to
31 or affect public warehouses of classes B, or C.

1. Introduced by Mr. Walker, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back January 31, 1883, passage recommended, and ordered to Second Reading.

A BILL

For An Act to secure to all Children the benefit of an Elementary Education.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every person having the control and charge of any child or children, between the ages of eight and fourteen years, shall send such child or children to a public school for a period of not less than twelve weeks in each school year, unless such child or children are excused from attending school by the board of education, or school directors of the city, town or school district in which such child or children reside. Such excuse may be given by said board of education or school directors for any good cause shown why said child or children shall not be required to attend school in conformity with this act.

§ 2 It shall be a good defense to any suit brought under this act, if the person under whose control such child or children are, can show that the mental or bodily condition of such child or children is such as to prevent its attendance at school or application to study for the period required by this act, or, that such child or children has been taught in a private school, or at home, for the time specified in this act, in such branches as are ordinarily taught in primary or other schools, or has acquired the branches of learning ordinarily taught in public schools, or that no public school has been taught within two

9 miles, by the nearest traveled road, of the residence of such child or children,
10 within the school district in which said child or children reside, for twelve
11 weeks during the year.

§ 3 If any person having the control and charge of any child or children
2 shall fail or neglect to comply with the provisions of this act, said person shall
3 pay a fine of not less than five nor more than twenty dollars. Suit for the
4 recovery of the fine and costs shall be brought by any director, or member of
5 any board of education, of the district in which such person resided at the time
6 of the committal of the offense, in the name of the school treasurer of the town-
7 ship in which said school district is located, before any justice of the peace in
8 said township. Jurisdiction is hereby conferred on all justices of the peace of
9 this State for the enforcing of this act. Such fine shall be paid, when col-
10 lected, to the school treasurer of said township, to be accounted for by him as
11 other school money raised for school purposes.

§ 4 It is hereby made the duty of school directors and members of the boards
2 of education to prosecute offenses occurring under this act. Neglect so to prose-
3 cute by any school director, or member of any board of education, within
4 twenty days after written notice has been served on such director, or member
5 of such board of education, by any tax payer residing in such district, that any
6 person has violated this act, shall subject him or them to a fine of ten dollars. to
7 be sued for by any tax payer residing in the school district where the violation
8 of this act occurred, before any justice of the peace in the township where the
9 said school district may be located. Said suit shall be brought in the name of
10 the treasurer of the township where defendant resided at the time of the neg-
11 lect to bring suit, and when such fine is collected it shall be reported by said
12 treasurer, and accounted for as other moneys raised for school purposes, and
13 become a part of the school fund of said township.

1. Introduced by Mr. Walker, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back January 31, 1883, passage recommended, and ordered to second reading.
4. Second reading February 9, 1883, amended, and ordered to a third reading.

A BILL

For An Act to secure to all children the benefit of an Elementary Education.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That every person having the control and charge of any
3 child or children, between the ages of eight and fourteen years, shall send
4 such child or children to a public or private school for a period of not less
5 than twelve weeks in each school year, unless such child or children are
6 excused from attending school by the board of education, or school directors
7 of the city, town or school district in which such child or children reside
8 Such excuse may be given by said board of education or school directors for
9 any good cause shown why said child or children shall not be required to
10 attend school in conformity with this act.

§ 2. It shall be a good defense to any suit brought under this act, if the
2 person under whose control such child or children are, can show that the
3 mental or bodily condition of such child or children is such as to prevent its
4 attendance at school or application to study for the period required by this
5 act, or that such child or children has been taught in a private school, or at
6 home, for the time specified in this act, in such branches as are ordinarily
7 taught in primary or other schools, or has acquired the branches of learning
8 ordinarily taught in public schools, or that no public school has been taught
9 within two miles, by the nearest traveled road, of the residence of such child

10 or children, within the school district in which said child or children reside,
11 for twelve weeks during the year.

§ 3. If any person having the control and charge of any child or children
2 shall fail or neglect to comply with the provisions of this act, said person
3 shall pay a fine of not less than five nor more than twenty dollars. Suit for
4 the recovery of the fine and costs shall be brought by any director, or mem-
5 ber of any board of education, of the district in which such person resided
6 at the time of the committal of the offense, before any justice of the peace in
7 said township. Jurisdiction is hereby conferred on all justices of the peace
8 in this State for the enforcing of this act. Such fine shall be paid, when
9 collected, to the school treasurer of said township, to be accounted for by him
10 as other school money raised for school purposes.

§ 4. It is hereby made the duty of school directors and members of the
2 boards of education, to prosecute offenses occurring under this act. The
3 neglect so to prosecute by any school director, or member of any board of
4 education, within twenty days after written notice has been served on such
5 director, or member of such board of education, by any tax payer residing
6 in such district, that any person has violated this act, shall subject him or
7 them to a fine of ten dollars, to be sued for by any tax payer residing in the
8 school district where the violation of this act occurred, before any justice of
9 the peace in the township where the said school district may be located.
10 And when such fine is collected it shall be reported by said treasurer, and
11 accounted for as other moneys raised for school purposes, and become a part
12 of the school fund of said township.

1. Reported to House February 23, 1883.
2. First reading March 2, 1883, and ordered to second reading.

A BILL

For An Act to secure to all children the benefit of an elementary education.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That every person having the control and charge of any
3 child or children between the ages of eight and fourteen years, shall send
4 such child or children to a public or private school for a period of not less
5 than twelve weeks in each school year, unless such child or children are
6 excused from attending school by the board of education or school directors
7 of the city, town or school district in which such child or children reside.
8 Such excuse may be given by said board of education or school directors
9 for any good cause shown why said child or children shall not be required
10 to attend school in conformity with this act.

§ 2. It shall be a good defense to any suit brought under this act, if the
2 person under whose control such child or children are, can show that the
3 mental or bodily condition of such child or children is such as to prevent
4 its attendance at school or application to study for the period required by
5 this act, or, that such child or children has been taught in a private school,
6 or at home, for the time specified in this act, in such branches as are ordi-
7 narily taught in primary or other schools, or has acquired the branches of
8 learning ordinarily taught in public schools, or that no public school has
9 been taught within two miles, by the nearest traveled road, of the residence
10 of such child or children, within the school district in which said child or
11 children reside, for twelve weeks during the year.

§ 3. If any person having the control and charge of any child or child-
dren, shall fail or neglect to comply with the provisions of this act, said
person shall pay a fine of not less than five nor more than twenty dollars.
Suit for the recovery of the fine and costs shall be brought by any director,
or member of any board of education, of the district in which such person
resided at the time of the committal of the offense, before any justice of the
peace of said township. Jurisdiction is hereby conferred on all justices of
the peace in this State for the enforcing of this act. Such fine shall be
paid, when collected, to the school treasurer of said township, to be ac-
counted for by him as other school money raised for school purposes.

§ 4. It is hereby made the duty of school directors and members of the
boards of education to prosecute offenses occurring under this act. The neg-
lect so to prosecute by any school director, or member of any board of edu-
cation, within twenty days after written notice has been served on such
director, or member of such board of education, by any tax payer residing
in such district that any person has violated this act, shall subject him or
them to a fine of ten dollars, to be sued for by any tax payer residing in
the school district where the violation of this act occurred, before any justice
of the peace in the township where the said school district may be located;
and when such fine is collected it shall be reported by said treasurer, and
accounted for as other money raised for school purposes, and become a part
of the school fund of said township.

1. Introduced by Mr. Cloonan, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Municipalities.
3. Reported back February 15, 1883, passage recommended and ordered to second reading.

A BILL

For An Act to prevent extortion, and to regulate the manufacture and sale of illuminating gas, and to establish reasonable maximum rates therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all corporations or associations now organized and engaged in the manufacture and sale of illuminating gas for general or public use, or which may be hereafter incorporated or organized for that purpose, shall be divided into four classes, to be designated respectively as class A, B, C and D. Class A shall include all such corporations or associations engaged in the manufacture or sale of such gas in towns and cities containing one hundred thousand inhabitants or more.

Class B shall include all those engaged in the business in towns and cities containing less than one hundred thousand and more than fifty thousand inhabitants.

Class C shall include all those engaged in such towns and cities containing less than fifty thousand and more than twenty thousand inhabitants.

Class D shall include all those engaged in such business in towns and cities containing less than twenty thousand inhabitants.

§ 2 All corporations, associations and individuals which now are or which may hereafter be engaged in the manufacture or sale of illuminating gas as aforesaid within this State, in cities and towns containing one hundred thousand

4 inhabitants or more, shall be limited in their charges for the sale of said
5 gas to one dollar and fifty cents for each one thousand cubic feet of such
6 gas, and those located or doing business in towns and cities containing less
7 than one hundred thousand and more than fifty thousand inhabitants shall
8 be limited in their charges for such gas to two dollars (\$2.00) per one thousand
9 cubic feet, and those located and doing business in towns and cities containing
10 not more than fifty thousand and not less than twenty thousand inhabitants
11 shall be limited in their charges for such gas to two dollars and fifty cents
12 (\$2.50) per one thousand cubic feet, and those located or doing business in
13 towns and cities containing not more than twenty thousand inhabitants shall
14 be limited in their charges for such gas to three dollars (\$3.00) per one
15 thousand cubic feet; and it shall be unlawful for such corporations, assoc-
16 ations or individuals to charge, demand, or receive a greater compensation
17 therefor: *Provided*, that no gas shall be merchantable in this State which is
18 not an average minimum value of sixteen candle power London standard,
19 that is, a burner consuming five cubic feet per hour shall give light, as
20 measured by the photometric apparatus in ordinary use, of not less than six-
21 teen London standard sperm candles, each consuming one hundred and twenty
22 grains per hour; all gas to be tested with the burner and under the pressure
23 best adapted to it, and the result shall be calculated at a temperature of 60
24 degrees Fahrenheit.

25 The mayor and common council of any city, or president and board of
26 trustees of any incorporated town or village, are hereby empowered to employ
27 one or more competent persons to inspect the quality of the gas manufactured
28 and sold within the corporation limits, and to examine whether the gas sup-
29 plied is of the legal standard, and whether it is sufficiently well purified from
30 sulphurated hydrogen, ammonia and carbonic acid.

31 Whenever gas so furnished shall be found upon such inspection to be below
32 the standard value on the average taken for any three months, the person, com-
33 pany or corporation furnishing it shall make a deduction in favor of the con-
34 sumers, from the price of gas of the legal standard, proportionate to the inferi-
35 ority of the gas, according to the report of said inspector.

36 *Provided, further,* nothing herein contained shall be so construed as to
37 affect any contract or agreement made with any company for the supply of
38 gas to any corporation or individual for a less price than the maximum price
39 herein provided for.

§ 3 Any such corporation, association or individual who shall charge,
2 demand or receive from any person or persons, firm or firms, association or
3 corporation, or municipality, any greater price for such gas than the maximum
4 price specified in section two of this act, shall forfeit and pay for each and
5 every such offense the sum of five hundred dollars and costs of suit, and also
6 a reasonable attorney's fee, to be taxed by the court in which such suit shall
7 be tried, to be recovered in an action of debt by the party aggrieved in any
8 court having jurisdiction; and any officer, agent or employee of any such cor-
9 poration, association or individual so engaged in the business of the manufac-
10, ture or sale of gas, who shall knowingly violate any of the provisions of this
11 act shall be liable to the penalties herein prescribed, to be recovered in like
12 manner by the party aggrieved.

§ 4. Any corporation or association incorporated or organized under the
2 laws of this State, which shall be a second time convicted for the violation of
3 any one of the provisions of this act, shall be deemed and taken to have thereby
4 forfeited its charter, and such corporation so a second time offending may be
5 proceeded against by the State's Attorney, in any circuit or county court where
6 such corporation may be located or have its general office for the transaction of
7 its business, [by] *scire facias* or upon information in the nature of a *quo warranto*,
8 to judgment of custer and final execution.



1. Introduced by Mr. Fifer, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Education and Educational Institutions.
3. Ordered, January 31, 1883, 100 copies be printed for use of Committee.

A BILL

For An Act making an appropriation for the ordinary expenses of the State Laboratory of Natural History, at Normal, for the improvement of the library thereof, and for the expenses of the State Entomologist's office.

SECTION 2. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there be, and hereby is appropriated to the State Laboratory of Natural History, at Normal: For the field work, office and incidental expenses of the laboratory, the sum of six hundred dollars per annum; for the traveling, office, and incidental expenses of the State Entomologist, the sum of five hundred dollars per annum; for the improvement of the library, the sum of eight hundred dollars per annum; for the pay of assistants, the sum of sixteen hundred dollars per annum; for the publication of bulletins, the sum of three hundred dollars per annum; for the expenses of preparing and publishing one volume of a report on the zoology and botany of the State, the sum of twelve hundred dollars per annum: *Provided*, that no part of the above appropriations shall be used in any way to increase the salary or emoluments of the Director of the laboratory or of the State Entomologist.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the treasurer for the aforesaid moneys, upon the order of the State Board of Education signed by the President and attested by the Secretary of said board; *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution, until satisfactory vouchers in detail, approved by the Governor, have been filed with the Auditor for the expenditure of the last quarterly installment of appropriations herein or heretofore made.

§ 3. This act shall be and continue in force from the first day of July, A. D. 1882,
until the expiration of the first fiscal quarter after the adjournment of the next General
Assembly.

1. Introduced by Mr. Fifer, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 20, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 26, 1883, passage recommended and ordered to a second reading.

A BILL

For An Act making an appropriation for the ordinary expenses of the State Laboratory of Natural History, at Normal, for the improvement of the library thereof, and for the expenses of the State Entomologist's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be, and hereby is appropriated to the State Laboratory of Natural History, at Normal: For the field work, office and incidental expenses of the laboratory, the sum of six hundred dollars per annum; for the traveling, office and incidental expenses of the State Entomologist, the sum of five hundred dollars per annum; for the improvement of the library, the sum of eight hundred dollars per annum; for the pay of assistants, the sum of sixteen hundred dollars per annum; for the publication of bulletins, the sum of three hundred dollars per annum; for the expenses of preparing and publishing one volume of a report on the zoology and botany of the State, the sum of twelve hundred dollars per annum: *Provided*, that no part of the above appropriations shall be used in any way to increase the salary or emoluments of the Director of the laboratory or of the State Entomologist.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid moneys, upon the order of the State Board of Education, signed by the President and attested by the Secretary of said board; *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution, until satisfactory vouchers in detail, approved by the Governor, have been filed with the Auditor for the expenditure of the last quarterly installment of appropriations herein or heretofore made.

§ 3. This act shall be and continue in force from the first day of July, A. D. 1863,
2 until the expiration of the first fiscal quarter after the adjournment of the next General
3 Assembly.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading, May 16, 1883.

A BILL

For An Act making an appropriation for the ordinary expenses of the State Laboratory of Natural History, at Normal, for the improvement of the library thereof, and for the expenses of the State Entomologist's office

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That there be, and hereby is appropriated to the State Laboratory of Natural History, at Normal: For the field work, office and incidental expenses of the laboratory, the sum of six hundred dollars per annum; for the traveling, office and incidental expenses of the State Entomologist, the sum of five hundred dollars per annum; for the improvement of the library, the sum of eight hundred dollars per annum; for the pay of assistants, the sum of sixteen hundred dollars per annum; for the publication of bulletins, the sum of three hundred dollars per annum; for the expenses of preparing and publishing one volume of a report on the zoology and botany of the State, the sum of twelve hundred dollars per annum: *Provided*, that no part of the above appropriations shall be used in any way to increase the salary or emoluments of the director of the laboratory or of the State Entomologist.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid moneys, upon the order of the State Board of Education, signed by the President and attested by the Secretary of said board: *Provided*, that no part of the moneys herein appropriated shall be due and payable to the said institution, until satisfactory vouchers in detail, approved by the Governor, have been filed with the Auditor for the expenditure of the last quarterly installment of appropriations herein or heretofore made.

§ 3. This act shall be and continue in force from the first day of July, A. D. 1883,
until the expiration of the first fiscal quarter after the adjournment of the next General
Assembly.

1. Introduced by Mr. Bell, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Insurance.
3. Reported back February 14, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend "An act to compel all insurance companies of other States and countries, doing any kind of insurance business in this State other than life, to comply with the general fire, marine, and insurance laws of this State, and to require deposits of plate glass, accident and steam boiler insurance companies," approved May 31, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That every insurance company, or association incorpora-
3 ted by or organized under the laws of any other State or any foreign gov-
4 ernment, or any partnership firm or association of individuals not incor-
5 porated under any law and doing insurance business, must comply with the
6 general insurance laws of this State governing fire, marine, inland naviga-
7 tion insurance companies, doing business in the State of Illinois, before
8 it shall be lawful for such companies or association of individuals not
9 incorporated to take risks or transact any kind of insurance business in this
10 State, other than that of life insurance, and such companies or associations,
11 and all persons acting as agents thereof, shall be subject to the same pen-
12 alties prescribed therein for any violation of any of the provisions thereof;
13 but, no plate glass, accident or steam boiler insurance company shall be
14 required to have a larger capital than one hundred thousand dollars act-
15 ually paid up, nor shall any company be authorized to transact business in

16 this State without having previously deposited with the State Treasurer of
17 this State, or with the chief financial officer or commissioner of insurance of
18 the State where such company is organized, securities, duly assigned to such
19 officers, in trust for the benefit of all its policy holders, the market value of
20 which shall at all times be equal to one hundred thousand dollars. Said
21 deposit shall consist of such like securities as fire insurance companies are
22 by the general laws of this State authorized to invest in.

1. Introduced by Mr. Bell, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Insurance.
3. Reported back February 14, 1883, with amendments, passage recommended, and ordered to a second reading.
4. Second reading March 2, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section one of "An act to compel all insurance companies of other States and countries, doing any kind of insurance business in this State other than life, to comply with the general fire and marine insurance laws of this State, and to require deposits of plate glass accident and steam boiler insurance companies," approved May 31, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That section one of "An act to compel all insurance companies of other States and countries, doing any kind of insurance business in this State other than life, to comply with the general fire and marine insurance laws of this State, and to require deposits of plate glass, accident and steam boiler insurance companies," approved May 31, 1879, in force July 1, 1879, be amended, so as to read as follows:

"Section 1. That every insurance company, or association incorporated by or organized under the laws of any other State or any foreign government, or any partnership, firm or association of individuals not incorporated under any law and doing insurance business, must comply with the general insurance laws of this State governing fire, marine and inland navigation insurance companies doing business in the State of Illinois, before it shall be lawful for such companies or association of individuals not incorporated to take risks or transact any kind of insurance business in this State other than that of life insurance, and such companies or associations, and all persons acting as agents thereof, shall be subject to the same penalties prescribed therein for any violation of any of the provisions thereof; but, no plate glass, accident or steam boiler insurance company shall be required to have a larger capital than one hundred thousand dollars actually paid up, nor shall any company be authorized to transact business in this State without having previously deposited with the State Treasurer of this State, or with the chief financial officer or

19 commissioner of insurance of the State where such company is organized, securities, duly
20 assigned to such officers, in trust for the benefit of all its policy holders, the market value of
21 which shall at all times be equal to one hundred thousand dollars. Said deposit shall consist of
22 such like securities as fire insurance companies are by the general laws of this State authorized
23 to invest in."

1. Introduced by Mr. Bell, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Insurance.
3. Reported back February 4, 1883, passage recommended, and ordered to second reading.
4. Second reading March 2, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section one of "An act to compel all insurance companies of other States and countries, doing any kind of insurance business in this State other than life, to comply with the general fire, marine, and insurance laws of this State, and to require deposits of plate glass, accident and steam boiler insurance companies," approved May 31, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one of "An act to compel all insurance companies of other States and countries, doing any kind of insurance business in this State other than life, to comply with the general fire, marine, and insurance laws of this State, and to require deposits of plate glass, accident and steam boiler insurance companies," approved May 31, 1879, in force July 1, 1879, be amended so as to read as follows:

"Section 1. That every insurance company, or association incorporated by or organized under the laws of any other State or any foreign government, or any partnership, firm or association of individuals not incorporated under any law and doing insurance business, must comply with the general insurance laws of this State governing fire, marine, and inland navigation in insurance companies doing business in the State of Illinois, before it shall be lawful for such companies or association of individuals not incorporated to

15 take risks or transact any kind of insurance business in this State other
16 than that of life insurance, and such companies or associations, and all per-
17 sons acting as agents thereof, shall be subject to the same penalties pre-
18 scribed therein for any violation of any of the provisions thereof; but, no
19 plate glass, accident or steam boiler insurance company shall be required to
20 have a larger capital than one hundred thousand dollars actually paid up,
21 nor shall any company be authorized to transact business in this State
22 without having previously deposited with the State Treasurer of this State,
23 or with the chief financial officer or commissioner of insurance of the State
24 where such company is organized, securities, duly assigned to such officers,
25 in trust for the benefit of all its policy holders, the market value of which
26 shall at all times be equal to one hundred thousand dollars. Said deposit
27 shall consist of such like securities as fire insurance companies are by the
28 general laws of this State authorized to invest in."

1. Introduced by Mr. Clark, January 24, 1883, and ordered to first reading.
2. First reading, January 24, 1883, and referred to Committee on Military Affairs.
3. Reported back February 14, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back from Appropriation Committee February 22, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to appropriate a sum sufficient to purchase cases in which to place for preservation the flags in the Adjutant General's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the sum of two thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of procuring cases in which to place for preservation the flags now in the office of the Adjutant General of this State.

§ 2. The money appropriated by the foregoing section, shall be expended by the Governor and Adjutant General, in the most judicious manner practicable, and the Auditor of Public Accounts is hereby authorized to draw his warrants therefor, upon the certificate of the Adjutant General, approved by the Governor.

AMENDMENTS TO SENATE BILL NO. 95, RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend section one of written bill by striking out the word "two" in line three, and inserting the word "ten."

3 Amend section one of written bill by striking out the word "preserva-
4 tion" in line seven, and add to section one the words "and for preparing
5 said flags for preservation and for furnishing the room in which said flags
6 may be placed."

1. Introduced by Mr. Clark, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Military Affairs, and also to Committee on Appropriations.
3. Reported back February 22, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 13, 1883, amended, and ordered to third reading.

A BILL

For An Act to appropriate a sum sufficient to purchase cases in which to place for preservation the flags, and to properly care for said flags, in the Adjutant General's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly: That the sum of ten thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated for the purpose of restoring, repairing, and of procuring cases in which to place for preservation the flags now in the office of the Adjutant General of this State.

§ 2. The money appropriated by the foregoing section, shall be expended by the Governor and Adjutant General, in the most judicious manner practicable, and the Auditor of Public Accounts is hereby authorized to draw his warrants therefor, upon the certificate of the Adjutant General, approved by the Governor.



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1. Reported to House March 30, 1883.
 2. First reading April 7, 1883, and referred to Committee on Appropriations.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading April 11, 1883.
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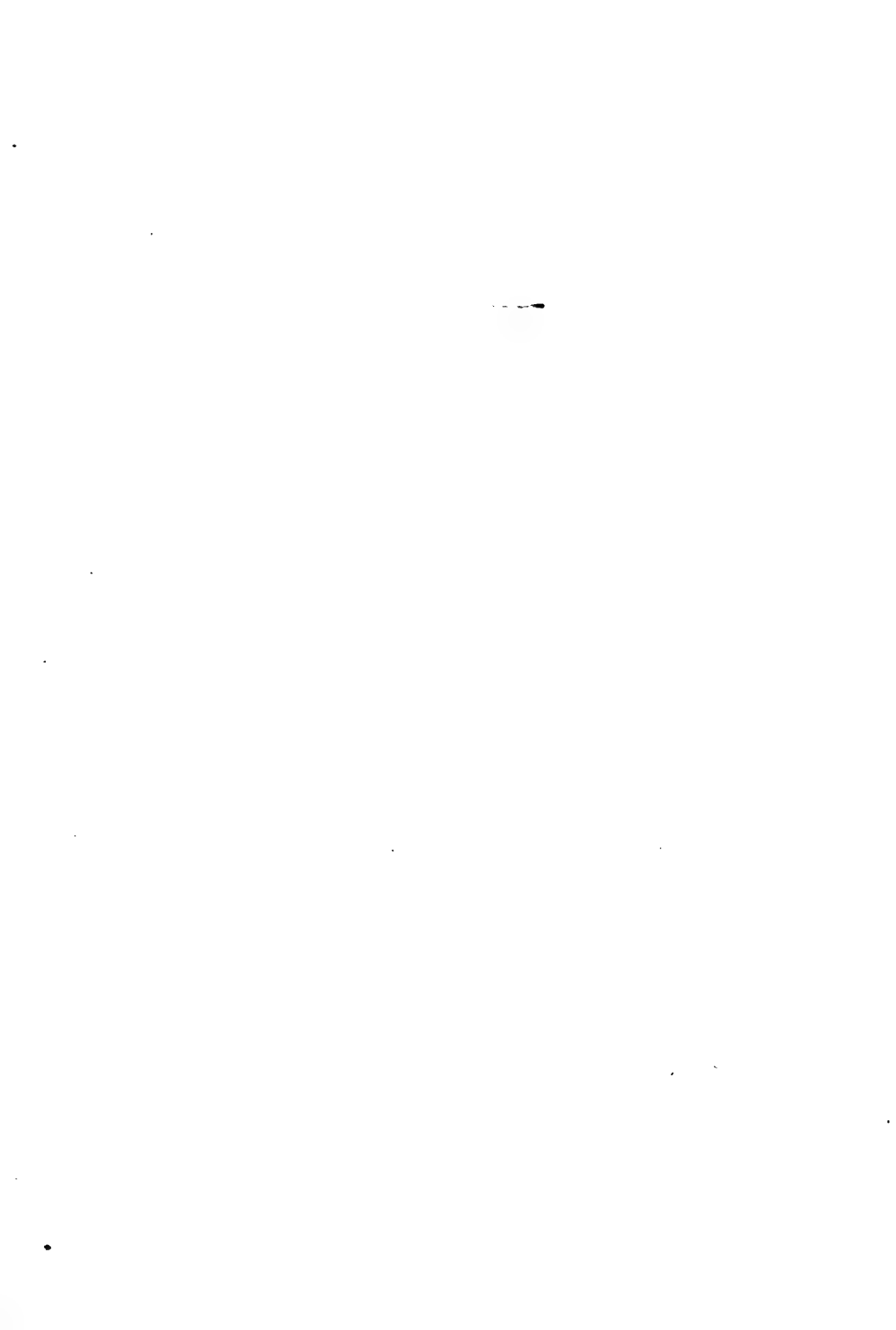
A BILL

For An Act to appropriate a sum sufficient to purchase cases in which to place for preservation the
flags, and to properly care for said flags, in the Adjutant General's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the sum of ten thousand dollars, or so much thereof as may be necessary, be
3 and the same is hereby appropriated for the purpose of restoring, repairing and of procuring
4 cases in which to place for preservation the flags now in the office of the Adjutant General of
5 this State.

§ 2. The money appropriated by the foregoing section shall be expended by the Governor
2 and Adjutant General in the most judicious manner practicable, and the Auditor of Public
3 Accounts is hereby authorized to draw his warrants therefor, upon the certificate of the Adjutant
4 General, approved by the Governor.



1. Introduced by Mr. Adams, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to Committee on Judiciary.
3. Reported back January 31, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1) of "An Act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section 1 of "An Act to authorize cities, incorporated
3 towns and townships to establish and maintain free public libraries and read-
4 ing rooms," approved and in force March 7, 1872, be amended so that the same
5 shall read as follows:

6 "SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
7 *General Assembly,* That the city council of each incorporated city shall have
8 the power to establish and maintain a public library and reading room for the
9 use and benefit of the inhabitants of such city, and may levy a tax of not to
10 exceed one mill on the dollar annually, and in cities of over one hundred thou-
11 sand inhabitants, not to exceed one-half of a mill on a dollar annually, on all
12 the taxable property in the city, such tax to be levied and collected in like man-
13 ner with the general taxes of said city, and to be known as the 'Library Fund;'
14 and the said annual library taxes in cities of over one hundred thousand inhab-
15 itants shall not be included in the aggregate amount of taxes as limited by sec-
16 tion 1 of article 8 of 'An act for the incorporation of cities and villages,' approved
17 April 10, 1872."

§ 2. Whereas, it is desirable to enable the city council of Chicago to make an
adequate appropriation in the current tax levy for the support of the Public
Library of Chicago, an emergency therefore exists, and this act shall take effect
and be in force from and after its passage.

1. Introduced by Mr. Adams, January 25, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Judiciary.
3. Reported back January 31, 1883, passage recommended, and ordered to second reading.
4. Second reading February 9, 1883, amended, and ordered to a third reading as amended.

A BILL

For An Act to amend section one (1) of an act entitled "An Act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly.* That section one (1) of an act entitled "An Act to authorize cities, in-
3 corporated towns and townships to establish and maintain free public libraries and reading
4 rooms," approved and in force March 7, 1873, be amended so that the same shall read as
5 follows:

6 SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
7 *General Assembly.* That the city council of each incorporated city shall have the power
8 to establish and maintain a public library and reading room for the use and benefit of the
9 inhabitants of such city, and may levy a tax of not to exceed one mill on the dollar annu-
10 ally, and in cities of over one hundred thousand inhabitants, not to exceed one-half of a mill
11 on a dollar annually, on all the taxable property in the city, such tax to be levied and collected
12 in like manner with the general taxes of said city, and to be known as the 'Library Fund;' and the said annual library taxes in cities of over one hundred thousand inhabitants shall not
13 be included in the aggregate amount of taxes as limited by section 1 of article 8 of 'An act
14 for the incorporation of cities and villages,' approved April 10, 1873."

§ 2. Whereas, it is desirable to enable the city council of Chicago to make an adequate
2 appropriation in the current tax levy for the support of the Public Library of Chicago, an
[3 emergency therefore exists, and this act shall take effect and be in force from and after its
4 passage.

- 1 Introduced by Mr. Clough, January 25, 1883, and ordered to first reading.
- 2 First reading January 25, 1883, and referred to Committee on Miscellaneous.
- 3 Reported back January 31, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section six (6) of an act entitled "An Act to revise and consolidate the several acts relating to the preservation of game, and for the protection of deer, wild fowl and birds," approved May 14, 1879; in force July 1, 1879.

SECTION ONE (1). *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly, That section six (6) of an act entitled "An Act to revise*
3 *and consolidate the several acts relating to the protection of game, and for the*
4 *protection of deer, wild fowl and birds," approved May 14, 1879, in force July 1,*
5 *1879, be amended so as to read as follows:*
6 "Section 6. No person, firm or corporation shall expose for sale or sell, or have
7 in his or their possession for the purpose of exposing for sale or selling, any of
8 the animals, wild fowl or birds mentioned in section one (1) of this act, with the
9 exception of deer, wild turkey, pinated grouse, ruffed grouse and quail, after
10 the expiration of five days next succeeding the first day of the period in which
11 it shall be unlawful to kill, trap or ensnare such animals, wild fowl or birds;
12 and it shall be unlawful for any person, association or corporation to sell or
13 expose for sale, or have on hand for the purpose of selling, any deer, pinated
14 grouse, ruffed grouse, wild turkey or quail, after the first day of February of
15 each and every year, until the time shall arrive when the same may lawfully be
16 killed in this State; and any person, corporation or association so offending
17 shall, on conviction, be fined and dealt with as specified in section one (1) of this
18 act; and selling or exposing for sale, or having the same in possession for the

19 purpose of selling or exposing for sale, any of the animals or birds mentioned
20 in this act, after the time mentioned in this section, shall be *prima facie* evi-
21 dence of the violation of this act; and any restaurant, club or association which
22 shall expose, use or sell any such animal or bird shall be deemed within the
23 meaning of this act, and liable to prosecution under it: *Provided*, that the pro-
24 visions of this act shall not apply to the killing of birds for the use of taxiderm-
25 ists for preservation either in public or private collections, if so preserved."

1. Introduced by Mr. Sunderland, January 24, 1883, and ordered to first reading.
2. First reading January 24, 1883, and referred to Committee on Insurance.
3. Reported back February 14, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections seven and eight of an act to revise the law in relation to township insurance companies, approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly, That sections seven and eight of an act entitled "An act to*
3 *revise the law in relation to township insurance companies," approved March*
4 *24, 1874, be amended to read as follows:*

5 "Section 7. Any person owning property in the district for which any such
6 company is formed, may become a member of such company by insuring therein,
7 and shall be entitled to all the rights and privileges appertaining thereto; but
8 a person not residing within the district for which the company is formed
9 shall not become a director of such company.

10 "Section 8. Such companies may issue policies on detached dwellings, barns
11 (except livery, boarding and hotel barns) and other farm buildings and such
12 property as may properly be contained therein, (churches, school houses, busi-
13 ness blocks and stocks of merchandise in villages or towns not containing over
14 fifteen hundred inhabitants at the time of the organization of such company)
15 for any time not exceeding five years and not to extend beyond the limited
16 duration of the charter, and for an amount not to exceed \$3,000 on any one
17 risk. All persons so insured shall give their obligation to the company binding
18 themselves, their heirs and assigns to pay their pro rata share to the company

19 of the necessary expenses, and of all losses by fire or lightning which may be
20 sustained by any member thereof during the time for which their respective
21 policies are written; and they shall also, at the time of effecting the insur-
22 ance, pay such percentage in cash and such other charge as may be required by
23 the rules or by-laws of the company.

AMENDMENTS TO SENATE BILL NO. 98, ADOPTED BY THE
COMMITTEE ON INSURANCE.

1. Amend by striking out in the title of the bill the words "Sections
2 seven and eight" and insert the words "Section seven."
- 3 2. Also, amend section one by striking out in the second line of the
4 written bill the words "Sections seven and eight" and insert the words
5 "Section seven."
- 6 3. Also, amend by striking out all of section eight of the written bill.

-
1. Introduced by Mr. Sunderland, January 24, 1883, and ordered to first reading.
 2. First reading January 24, 1883, and referred to Committee on Insurance.
 3. Reported back February 14, 1883, with amendments, passage recommended, and ordered to second reading.
 4. Second reading March 1, 1883, amended, and ordered to third reading.
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A BILL

For An Act to amend section seven of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section seven of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, and in force July 1, 1874, be amended to read as follows:

"Section 7. Any person owning property in the district for which any such company is formed, may become a member of such company by insuring therein, and shall be entitled to all the rights and privileges appertaining thereto; but a person not residing within the district for which the company is formed shall not become a director of such company."



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1. Reported to House, March 30, 1883.
 2. First reading April 7, 1883, and referred to Committee on Insurance.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading May 3, 1883.
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A BILL

For An Act to amend section seven of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section 7 of an act entitled "An act to revise the
3 law in relation to township insurance companies," approved March 24, 1874,
4 and in force July 1, 1874, be amended, to read as follows:
5 "Section 7. Any person owning property in the district for which any such
6 company is formed, may become a member of such company by insuring
7 therein, and shall be entitled to all the rights and privileges appertaining
8 thereto; but a person not residing within the district for which the company
9 is formed, shall not become a director of such company."



1. Introduced by Mr. Tubbs, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back February 7, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section sixty-three (63) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, and in force July 1, 1872, and amended by an act approved June 3, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That section sixty-three (63) as amended, of the aforesaid act, be amended so as to read as follows:

"Section 63. On the first Mondays of April and October, of every year, the township treasurer shall lay before the board of trustees a statement, showing the amount of interest, rents, issues and profits that have accrued or become due since their last regular half yearly meeting, on township lands and township funds, and also the amount of State and county fund interest on hand. He shall also lay before the said trustees all books, notes, bonds, mortgages, and all other evidences of indebtedness belonging to the township, for the examination of the trustees, and shall make such other statement as the board may require touching the duties of his office. He shall make out, annually, and present to the board of trustees at their meeting succeeding the annual election, a complete exhibit of the fiscal affairs of the township and of the several districts or parts of districts in the township, showing the receipts of moneys, and the sources from which they have been derived; and the deficits and delinquencies, if there be any,

18 and the cause, as well as a classified statement of moneys paid out, the
19 amount of obligations remaining unpaid. And he shall, within two days
20 after the first Monday of April in each year, make out for each district or
21 part of district in the township, a statement or exhibit of the exact condi-
22 tion of the account of such district or part of district; which statement or
23 exhibit shall show the balance at time of making the last exhibit, and the
24 amount received since up to the time of making the exhibit, and when and
25 from what source received; it shall also show the amount paid out during
26 the same time, to whom paid and for what purpose; it shall be balanced
27 and the balance shown. The exhibit shall be subscribed and sworn to by
28 the treasurer before any officer authorized to administer an oath, and shall
29 then, by the treasurer, be, without delay, delivered or transmitted by mail
30 to the clerk of the board of directors of the proper district, and it shall be
31 the duty of said clerk, upon receiving such exhibit, to enter the same upon
32 the records of the district, and at the next annual election of directors there-
33 after the directors shall cause a copy of such exhibit to be posted up at the
34 front door where such election is held: *Provided*, that the first exhibit
35 made under the requirements of this act, shall be made within two days
36 after the first Monday of October, 1879, and shall commence with the bal-
37 ance on the first Monday of April, 1879, and for a failure on the part of the
38 treasurer, clerk of any board of directors, or any director to comply with
39 any of the requirements of this section, required of him, he shall be liable
40 to penalty of not less than five dollars, nor more than fifty dollars, to be
41 recovered before any justice of the peace of the county in which the offense
42 is committed: *Provided, further*, that it shall be the duty of said treasurer
43 to comply with any demand the said trustees may make, as to the verifica-
44 tion of any balance reported to be on hand.

1. Introduced by Mr. Tubbs, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back February 7, 1883, passage recommended, and ordered to second reading.
4. Second reading February 17, 1883, amendments offered, and recommitted to Committee on Education and Educational Institutions.
5. Reported back February 20, 1883, with amendments, passage recommended, and ordered to second reading, and to be printed.

A BILL

For An Act to amend section sixty-three (63) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1873, and in force July 1, 1873, and amended by an act approved June 3, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That section sixty-three (63), as amended, of the aforesaid
3 act, be amended so as to read as follows:
4 "Section 63. On the first Mondays of April and October, of every year,
5 the township treasurer shall lay before the board of trustees a statement,
6 showing the amount of interests, rents, issues and profits that have accrued
7 or become due since their last regular half-yearly meeting, on township
8 lands and township funds, and also the amount of State and county fund
9 interest on hand. He shall also lay before the said trustees all books, notes,
10 bonds, mortgages, and all other evidences of indebtedness belonging to the
11 township, for the examination of the trustees, and shall make such other
12 statement as the board may require, touching the duties of his office. He
13 shall make out, annually, and present to the board of trustees at their meet-
14 ing succeeding the annual election, a complete exhibit of the fiscal affairs of
15 the township and of the several districts or parts of districts in the town-

16 ship, showing the receipts of moneys, and the sources from which they have
17 been derived, and the deficits and delinquencies, if there be any, and the
18 cause, as well as a classified statement of moneys paid out, the amount of
19 obligations remaining unpaid. And he shall, within two days after the first
20 Monday of April, in each year, make out for each district or part of district
21 in the township, a statement or exhibit of the exact condition of the account
22 of such district or part of district; which statement or exhibit shall show
23 the balance at time of making the last exhibit, and the amount received
24 since up to the time of making the exhibit, and when and from what source
25 received; it shall also show the amount paid out during the same time, to
26 whom paid, and for what purpose; it shall be balanced and the balance
27 shown. The exhibit shall be subscribed and sworn to by the treasurer before
28 any officer authorized to administer an oath, and shall then, by the treasurer,
29 be, without delay, delivered or transmitted by mail to the clerk of the board
30 of directors of the proper district, and it shall be the duty of said clerk,
31 upon receiving such exhibit, to enter the same upon the records of the dis-
32 trict, and at the next annual election of director, thereafter, the directors
33 shall cause a copy of such exhibit to be posted up at the front door where
34 such election is held: *Provided*, that the first exhibit, made under the require-
35 ments of this act, shall be made within two days after the first Monday of
36 October, 1879, and shall commence with the balance on the first Monday of
37 April, 1879, and for a failure on the part of the treasurer, clerk of any board
38 of directors, or any director, to comply with any of the requirements of this
39 section, required of him, he shall be liable to penalty of not less than five
40 dollars nor more than fifty dollars, to be recovered before any justice of the
41 peace of the county in which the offense is committed: *Provided, further*, that
42 it shall be the duty of said treasurer to comply with any demand the said
43 trustees may make as to the verification of any balance reported to be on
44 hand."

AMENDMENTS TO SENATE BILL NO. 99, PROPOSED BY THE COMMITTEE ON EDUCATION AND EDUCATIONAL INSTITUTIONS.

1. Amend section one (1) by striking out the words "as amended, of the
2 aforesaid act," in lines two (2) and three (3), and by inserting in lieu thereof
3 the following: "Of an act to establish and maintain a system of free schools,
4 approved April 1, 1872, and in force July 1, 1872, and amended by an act
5 approved June 3, 1879, and in force July 1, 1879."

6 2. Also, amend by striking out the words and figures "October (1879)," in
7 line ten (10) of page three (3) of written bill, and inserting in lieu thereof
8 the word and figures, "April (1884)," and by striking out the figures, "(1879)"
9 in line twelve (12) of same page, and inserting in lieu thereof the figures "(1883.)"

1. Introduced by Mr. Tubbs, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back February 7, 1883, passage recommended, and ordered to second reading.
4. Second reading February 17, 1883, amendments offered, and recommitted to Committee on Education and Educational Institutions.
5. Reported back February 20, 1883, with amendments, passage recommended, and ordered to second reading, and to be printed.
6. Second reading March 14, amended and ordered to a third reading.

A BILL

For An Act to amend section sixty-three (63), of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, and in force July 1, 1872, and amended by an act approved June 3, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section sixty-three (63), of an act to establish and maintain a system of free
3 schools," approved April 1, 1872, and in force July 1, 1872, and amended by an act approved
4 June 3, 1879, and in force July 1, 1879, be amended, so as to read as follows:
5 "Section 63. On the first Mondays of April and October, of every year, the township
6 treasurer shall lay before the board of trustees a statement, showing the amount of interest,
7 rents, issues and profits that have accrued or become due since their last regular half-yearly
8 meeting, on township lands and township funds, and also the amount of State and county fund
9 interest on hand. He shall also lay before the said trustees all books, notes, bonds, mortgages,
10 and all other evidences of indebtedness belonging to the township, for the examination of the
11 trustees, and shall make such other statement as the board may require, touching the duties of
12 his office. He shall make out, annually, and present to the board of trustees at their meeting
13 succeeding the annual election, a complete exhibit of the fiscal affairs of the township and of the
14 several districts or parts of districts in the township, showing the receipts of money, and the
15 sources from which they have been derived, and the deficits and delinquencies, if there be any,
16 and the cause, as well as a classified statement of moneys paid out, the amount of obligations re-
17 maining unpaid. And he shall, within two days after the first Monday of April, in each year,

18 make out for each district or part of district in the town-ship, a statement or exhibit of the exact
 19 condition of the account of such district or part of district; which statement or exhibit shall
 20 show the balance at time of making the last exhibit, and the amount received since up to the
 21 time of making the exhibit, and when and from what source received; it shall also show the
 22 amount paid out during the same time, to whom paid, and for what purpose; it shall be balanced
 23 and the balance shown. The exhibit shall be subscribed and sworn to by the treasurer before
 24 any officer authorized to administer an oath, and shall then, by the treasurer, be, without delay,
 25 delivered or transmitted by mail to the clerk of the board of directors of the proper district, and
 26 it shall be the duty of said clerk, upon receiving such exhibit, to enter the same upon the records
 27 of the district, and at the next annual election of director, thereafter, the directors shall cause a
 28 copy of such exhibit to be posted up at the front door where such election is held: *Provided*,
 29 that the first exhibit, made under the requirements of this act, shall be made within two days
 30 after the first Monday of April, 1884, and shall commence with the balance on the first Monday
 31 or April, 1883; and for a failure on the part of the treasurer, clerk of any board of directors, or
 32 any director, to comply with any of the requirements of this section, required of him, he shall
 33 be liable to penalty of not less than five dollars, nor more than fifty dollars, to be recovered be-
 34 fore any justice of the peace of the county in which the offense is committed: *Provided further*,
 35 that it shall be the duty of said treasurer to comply with any demand the said trustees may
 36 make as to the verification of any balance reported to be on hand."

1. Reported to House May 10, 1883.
2. First reading May 26, 1883, and ordered to second reading.

A BILL

For An Act to amend section sixty-three (63) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, and in force July 1, 1872, and amended by an act approved June 3, 1879, and in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section sixty three (63) of an act to establish and
3 maintain a system of free schools," approved April 1, 1872, and in force July
4 1, 1872, and amended by an act approved June 3, 1879, and in force July 1,
5 1879, be amended, so as to read as follows:

6 "Section 63. On the first Mondays of April and October, of every year, the
7 township treasurer shall lay before the board of trustees a statement, show-
8 ing the amount of interest, rents, issues and profits that have accrued or
9 become due since their last regular half-yearly meeting, on township lands
10 and township funds, and also the amount of State and county fund interest
11 on hand. He shall also lay before the said trustees all books, notes, bonds,
12 mortgages, and all other evidences of indebtedness belonging to the town-
13 ship, for the examination of the trustees, and shall make such other state-
14 ment as the board may require, touching the duties of his office. He shall
15 make out, annually, and present to the board of trustees at their meeting
16 succeeding the annual election, a complete exhibit of the fiscal affairs of the
17 township and of the several districts or parts of districts in the township,
18 showing the receipts of moneys, and the sources from which they have been

19 derived, and the deficits and delinquencies, if there be any, and the cause,
20 as well as a classified statement of moneys paid out, the amount of obliga-
21 tions remaining unpaid. And he shall, within two days after the first
22 Monday of April, in each year, make out for each district or part of district
23 in the township, a statement or exhibit of the exact condition of the account
24 of such district or part of district; which statement or exhibit shall show
25 the balance at time of making the last exhibit, and the amount received
26 since up to the time of making the exhibit, and when and from what source
27 received; it shall also show the amount paid out during the same time, to
28 whom paid, and for what purpose; it shall be balanced and the balance shown.
29 The exhibit shall be subscribed and sworn to by the treasurer before any
30 officer authorized to administer an oath, and shall then by the treasurer be,
31 without delay, delivered or transmitted by mail to the clerk of the board of
32 directors of the proper district, and it shall be the duty of said clerk, upon
33 receiving such exhibit, to enter the same upon the records of the district, and
34 at the next annual election of director, thereafter, the directors shall cause a
35 copy of such exhibit to be posted up at the front door where such election is
36 held: *Provided*, that the first exhibit made under the requirements of this
37 act, shall be made within two days after the first Monday of April, 1884, and
38 shall commence with the balance on the first Monday of April, 1883; and for a
39 failure on the part of the treasurer, clerk of any board of directors or any
40 director, to comply with any of the requirements of this section, required of
41 him, he shall be liable to penalty of not less than five dollars, nor more than
42 fifty dollars, to be recovered before any justice of the peace of the county in
43 which the offense is committed: *Provided further*, that it shall be the duty of
44 said treasurer to comply with any demand the said trustees may make as to
45 the verification of any balance reported to be on hand."

1. Introduced by Mr. Evans, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back March 22, 1883, passage recommended, and ordered to be referred to Committee on Appropriations.
4. Reported back March 23, 1883, with amendments, passage recommended, and ordered to a second reading.

A BILL.

For An Act making appropriations for the ordinary and other expenses of the Illinois Northern Hospital for the Insane, at Elgin.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

General Assembly, That the following amounts be, and are hereby appropriated to the Illinois Northern Hospital for the Insane, at Elgin, for the purposes hereinafter named, and for no other, viz:

For ordinary expenses, the sum of one hundred and six thousand dollars (\$106,000) per annum, payable quarterly, in advance, from the first day of July, A. D. 1883, until after the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and contingent fund, the sum of six thousand dollars (\$6,000) per annum; total, \$12,000.

For improvement of grounds, the sum of one thousand dollars (\$1,000) per annum; total, \$2,000.

For front fence and gateways, the sum of three thousand dollars (\$3,000).

For increase of patients' library, and purchase of electrical and other apparatus for medical uses, the sum of one thousand five hundred dollars (\$1,500) per annum; total, \$3,000.

For reservoir for storage of water for fire purposes, the sum of five thousand dollars (\$5,000).

19 For changing high pressure system of heating in the south wing and cen-
 20 tral building to low pressure, completing air ducts, etc., to conform to changes
 21 in north wing, the sum of eighteen thousand eight hundred and eighty-one
 22 dollars and seventy-seven cents (\$18,881.77).

23 For two new boilers and boiler fronts, setting and making connections,
 24 etc., the sum of four thousand three hundred and forty dollars (\$4,340).

25 For new washing machines, steam mangle and elevator, for hoisting wet
 26 clothes from wash room to dry room, the sum of two thousand two hundred
 27 dollars (\$2,200).

§ 2. The moneys herein appropriated shall be due and payable to the
 2 trustees of said Illinois Northern Hospital for the Insane, at Elgin, or their
 3 order, only on the terms and in the manner now provided by law.

AMENDMENTS RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend by striking out all after the word "library," in item five, of
 2 section one, and insert in lieu thereof the following words and figures, "the
 3 sum of five hundred dollars (\$500) per annum; total \$1,000."

4 2. Amend by striking out in item 9, of section 1, the words and figures,
 5 "two thousand two hundred dollars (\$2,200)," and insert in lieu thereof the
 6 words and figures, "two thousand dollars (\$2,000)."

1. Introduced by Mr. Evans, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to the Committee on State Charitable Institutions.
3. Reported back March 22, 1883, passage recommended, and referred to the Committee on Appropriations.
4. Reported back March 23, 1883, with amendments, passage recommended, and ordered to a second reading.
5. Second reading March 29, 1883, amended and ordered to a third reading.

A BILL

For an Act making appropriations for the ordinary and other expenses of the Illinois Northern Hospital for the Insane, at Elgin.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That the following amounts be, and are hereby appropriated to the Illinois Northern Hospital for the Insane, at Elgin, for the purposes hereinafter named, and for no other, viz:

For ordinary expenses, the sum of one hundred and six thousand dollars (\$106,000) per annum; payable quarterly, in advance, from the first day of July, A. D. 1883, until after the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For repairs and contingent fund, the sum of six thousand dollars (\$6,000) per annum; total, \$12,000.

For improvement of grounds, the sum of one thousand dollars (\$1,000) per annum; total, \$3,000.

For front fence and gateways, the sum of three thousand dollars (\$3,000).

For increase of patients' library, the sum of five hundred dollars (\$500) per annum; total, \$1,000.

For reservoir for storage of water for fire purposes, the sum of five thousand dollars (\$5,000).

For charging high pressure system of heating in the south wing and central building to low pressure, completing air ducts, etc., to conform to changes in north wing, the sum of eighteen thousand eight hundred and eighty-one dollars and seventy-seven cents (\$18,881.71).

19 For two new boilers and boiler fronts, setting and making connections, etc., the sum of four
20 thousand three hundred and forty dollars (\$4,340).

21 For new washing machines, steam mangle and elevator, for hoisting wet clothes from wash
22 room to dry room, the sum of two thousand dollars (\$2,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of said Illinois
2 Northern Hospital for the Insane, at Elgin, or their order, only on the terms and in the manner
3 now provided by law.

1. Reported to House April 21, 1883.
2. First reading April 30, 1883, and referred to Committee on Appropriations.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 11, 1883.

AMENDMENTS BY COMMITTEE ON APPROPRIATIONS TO SENATE BILL NO. 100.

- Amend item four, by striking out the words and figures "three thousand (3,000)," and inserting
- 2 the words and figures "fifteen hundred (1,500)," in section one of written bill.
 - 3 Amend by striking out item six, of section one of written bill.
 - 4 Amend by inserting as item ten, "for the purchase of electrical apparatus to be used in the
 - 5 treatment of patients, the sum of one thousand dollars (\$1,000).

A BILL

For An Act making appropriations for the ordinary and other expenses of the Illinois Northern
Hospital for the Insane, at Elgin.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

- 2 *Assembly:* That the following amounts be, and are hereby appropriated to the Illinois Northern
- 3 Hospital for the Insane, at Elgin, for the purposes hereinafter named, and for no other, viz :
- 4 For ordinary expenses, the sum of one hundred, and six thousand dollars (\$106,000) per
- 5 annum, payable quarterly in advance, from the first day of July A. D. 1883, until after the
- 6 expiration of the first fiscal quarter after the adjournment of the next General Assembly.
- 7 For repair and contingent fund, the sum of six thousand dollars (\$6,000) per annum, total
- 8 \$12,000.
- 9 For improvement of grounds, the sum of one thousand dollars (\$1,000) per annum, total
- 10 \$3,000.

- 11 For front fence and gateways, the sum of three thousand dollars (\$3,000).
12 For increase of patients' library, the sum of five hundred dollars (\$500) per annum, total
13 \$1,000.
14 For reservoir for storage of water for fire purposes, the sum of five thousand dollars (\$5,000).
15 For changing high pressure system of heating in south wing and central building to low
16 pressure, completing air ducts, etc., to conform to changes in north wing, the sum of eighteen
17 thousand eight hundred and eighty-one dollars and seventy-seven cents (\$18,881.77).
18 For two new boilers and boiler fronts, setting and making connections, etc., the sum of four
19 thousand three hundred and forty dollars (\$4,340)
20 For new washing machines, steam mangle and elevator for hoisting wet clothes from wash
21 room to dry room, the sum of two thousand dollars (\$2,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of said Illinois
2 Northern Hospital for the Insane, at Elgin, or their order, only on the terms and in the manner
3 now provided by law.

Amend item four, by striking out the words and figures "three thousand (3,000)," and inserting

2 the words and figures "fifteen hundred (1,500)," in section one of written bill.

3 Amend by striking out item six, of section one of written bill.

4 Amend by inserting as item ten, "for the purchase of electrical apparatus to be used in the

5 treatment of patients, the sum of one thousand dollars (\$1,000.)

1. Introduced by Mr. Gillham, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883, and referred to Committee on County and Township Organization.
3. Reported back February 15, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to prevent the unnecessary overflow of lands adjacent to creeks or streams from the accumulation of drift wood, and to provide for the removal of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of any person or persons owning lands bordering on any creek or stream of this State where drift wood shall accumulate to the detriment of the full flow and free discharge of such creeks or streams, to remove such accumulations of drift wood, by or before the first day of September, of each year.

§ 2. It shall be the duty of the highway commissioners in counties under township organization, and of overseers of roads in counties not under township organization, by or before the first day of July of each year, to notify in writing such owner or owners of lands bordering on such creeks or streams of such accumulations of such drift wood in such creeks or streams, and to remove the same within the time provided by this act for such removal; and if such owner or owners shall fail or refuse to remove such accumulations of drift wood by the time provided for such removal in the first section of this act, then it shall be lawful, and it shall be the duty of such highway commissioners, or such overseers of roads, to have the same removed, and to tax the costs of such removal to such land owner or owners,

13 such tax to be collected and applied as other road and bridge taxes are
 18 collected and applied: *Provided*, that when such drift wood shall lodge or
 14 accumulate against the bents or abutments of any bridge or any public
 15 highway across any such creek or stream, then it shall become the duties of
 16 such highway commissioners or overseers of roads, as the case may be, to
 17 remove the same; and no such tax or costs shall run against the owner or
 18 owners of such lands so adjacent to such creeks or streams.

§ 3. It shall be unlawful for any person to fall any tree or sapling over
 2 or across, or to throw any log, block, brush, cord wood, rail, or any other
 3 thing that is liable to lodge or become drift, into any creek or stream of
 4 this State, and any person so violating the provision of this act, shall be
 5 deemed guilty of a misdemeanor, and shall be punished accordingly.

§ 4. It shall be the duty of the commissioners of highway in counties
 2 under township organization, and overseers of roads in counties not under
 3 township organization, to enforce the provisions of this act.

AMENDMENTS TO SENATE BILL NO. 103, ADOPTED BY THE COMMIT- TEE ON COUNTY AND TOWNSHIP ORGANIZATION.

1. Amend by inserting in line four of section one, after the word,
 2 "stream," the words, "not navigable."

2. Also, amend by striking out the word, "accordingly" in the last line of
 4 section three (3), and add the words, "by a fine not less than five dollars,
 5 or more than one hundred dollars."

1. Introduced by Mr. Seorest, January 25, 1883, and ordered to first reading.
2. First reading January 25, 1883 and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 3, 1883, passage recommended, and ordered to second reading

A BILL

For An Act to amend section one hundred and nineteen (119) of an act entitled "An act in regard to Roads and Bridges in counties under township organization," approved May 28, 1879; in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one hundred and nineteen (119) of an act entitled "An act in regard to roads and bridges in counties under township organization," approved May 28, 1879, in force July 1, 1879, be, and the same is, hereby amended so as to read as follows:

"§ 119. The highway commissioners of each town shall, annually, ascertain, as near as practicable, how much money must be raised by tax on real and personal property for the making and repairing of bridges, the payment of damages by reason of the opening, altering and laying out of new roads; the purchase of the necessary tools, implements and machinery for working roads; the purchase of the necessary material for building or repairing roads and bridges; the pay of the overseers of highways during the ensuing year, commencing on Tuesday next preceding the annual town meeting, and shall levy a tax on all the real estate and personal property in said town, which tax shall be extended on the tax books on the current assessment; not exceeding forty cents on the one hundred dollars, according to the assessment of the previous year; and they shall give to the supervisor of the township, and in Cook county to the county board, a statement of the amount necessary to be raised, and the rate per cent. of taxation, signed by said commissioners, or a majority of them, on or before the Tuesday preceding the annual September meeting of the board of supervisors, or the board of Cook county, who shall cause the same to be submitted to said board for their action at such September meeting of said board: *Provided*, that if the commissioners of highways, or any three legal voters, shall give notice, by posting notices

20 in at least three of the most public places of the town, at least ten days before the annual town
21 meeting, that a larger amount of money will be required, for the purpose of constructing roads or
22 bridges in their town, than can be realized from the real and personal tax authorized by law to be
23 assessed by the commissioners, the legal voters present at such meeting may authorize an addi-
24 tional amount to be raised by tax, not exceeding forty cents on each one hundred dollars valua-
25 tion, and said board shall cause the same to be extended on the tax books."

1. Introduced by Mr. Fletcher, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back March 1, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to consolidate the Board of Commissioners of the Illinois State Penitentiary, at Joliet, and the Board of Commissioners of the Southern Illinois Penitentiary, at Chester.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Board of Commissioners of the Illinois State Penitentiary, at Joliet, and the Board of Commissioners of the Southern Illinois Penitentiary, at Chester, shall be consolidated, and from the time this act shall take effect there shall be but one Board of Commissioners for the Penitentiaries of this State.

§ 2. The Board of Penitentiary Commissioners shall be appointed by the Governor, by and with the consent and advice of the Senate, and be subject to removal by the Governor at his discretion; which removal and the cause thereof shall be reported by the Governor, to the next General Assembly. The first Board of Commissioners shall hold their office for the term of two, four and six years, to be determined by lot after appointed, and biennially thereafter there shall be appointed by the Governor, by and with the advice and consent of the Senate, one Penitentiary Commissioner, who shall hold his office for the term of six years, unless sooner removed by the Governor. In case of any vacancy occasioned by the removal from the State by any person so appointed or death, or resignation, or non-acceptance of the office, or removal from office by the Governor of any such person.

13 so appointed, the Governor shall immediately appoint a person to fill
14 such vacancy for the residue only of such term. And all appointments made
15 by the Governor when the Senate is not in session, shall be valid until acted
16 upon at the next session of the Senate.

§ 3. The duties of the Board of Commissioners shall be the same as now
2 required by law of the Commissioners of the Illinois State Penitentiary, at
3 Joliet, and the Commissioners of the Southern Illinois Penitentiary, at
4 Chester. And the compensation for their services shall be as now provided
5 by law; and all acts or parts of acts in conflict with this act is hereby re-
6 pealed.

1. Introduced by Mr. Fletcher, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back March 1, 1883, passage recommended, and ordered to second reading.
4. Second reading March 14, 1883, amended and ordered to third reading.

A BILL

For An Act to consolidate the Board of Commissioners of the Illinois State Penitentiary, at Joliet, and the Board of Commissioners of the Southern Illinois Penitentiary, at Chester.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That the Board of Commissioners of the Illinois State Penitentiary, at Joliet, and the Board of Commissioners of the Southern Illinois Penitentiary, at Chester, shall be consolidated, and, from the time this act shall take effect, there shall be but one Board of Commissioners for the penitentiaries of this State, which Board of Commissioners shall consist of three members.

§ 2. The Board of Penitentiary Commissioners shall be appointed by the Governor, by and with the consent and advice of the Senate, and be subject to removal by the Governor, at his discretion; which removal, and the cause thereof, shall be reported by the Governor to the next General Assembly. The members of the first Board of Commissioners, shall hold their office for the term of two, four and six years, respectively, to be determined by lot after appointed, and biennially thereafter there shall be appointed by the Governor, by and with the advice and consent of the Senate, one Penitentiary Commissioner, who shall hold his office for the term of six years, unless sooner removed by the Governor. In case of any vacancy occasioned by the removal from the State by any person so appointed, or death, or resignation, or non-acceptance of the office, or removal from office by the Governor of any such person so appointed, the Governor shall immediately appoint a person to fill such vacancy, for the residue only of such term, and all appointments made by the Governor when the Senate is not in session, shall be valid until acted upon at the next session of the Senate.

§ 3. The duties of the Board of Commissioners shall be the same as now required by law of the Commissioners of the Illinois State Penitentiary, at Joliet, and the Commissioners of the

3 Southern Illinois Penitentiary, at Chester; and the compensation for their services shall be as
4 now provided by law; and all acts or parts of acts in conflict with this act, are hereby repealed:
5 *Provided*, that one of said Commissioners shall be appointed from each of the Judicial Grand
6 Divisions of the State.

1. Introduced by Mr. Whiting, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Revenue.
3. Reported back January 31, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act providing for Licensing and Taxing Corporations, Companies or Individuals operating Telegraph Lines.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That each and every person, company or corporation, whether
3 incorporated, organized or residing in this State or outside this State, operating
4 a telegraph line in this State, shall make an annual report to the Auditor of
5 Public Accounts, on or before the tenth day of January, 1884, and each year
6 thereafter, which report shall state:

7 *First*—The name and locality of the person, company or corporation.

8 *Second*—The number of miles of telegraph operated by said person, company
9 or corporation in this State, and the location of its lines therein.

10 *Third*—The amount of gross receipts from all sources of their business
11 received within the State, for the year ending the thirty-first day of December
12 preceding such report. This report shall be verified by the oath of the proper
13 person or officer as to its truth.

§ 2. It shall not be lawful, after the tenth day of January, 1884, for any
2 person, company or corporation to transact the business of telegraphing or
3 sending messages by telegraph for a compensation, without first making the
4 report, as herein required, and procuring from the Auditor a certificate of
5 authority or license; and it shall be a condition precedent to the issuing or the
6 renewal of the annual certificate, or license, by the Auditor, that the person,

7 company or corporation making the statement shall pay into the State treasury
8 the specific sum of two per cent. on the gross amount received by said person,
9 company or corporation within this State, for the year included in the report
10 provided for in section one of this act, which said specific sum may be recovered
11 in any court of competent jurisdiction, at the suit of this State. It shall be the
12 duty of the State Treasurer to give his receipt in duplicate for all moneys paid
13 into the State treasury under the provisions of this act; and the Auditor of
14 Public Accounts, on the presentation of such receipt from the Treasurer, shall
15 issue as many copies of the annual certificate, or license, as may be desired by
16 said company, not exceeding one for each agent or place of business in this
17 State.

§ 3. Any person, company or corporation violating the provisions of this act
2 shall, upon conviction thereof in any court of competent jurisdiction, be fined
3 in any sum not less than ten nor more than one hundred dollars for each and
4 every act, at the discretion of the court. Violations of the provisions of this
5 act may be prosecuted in the name of the people of the State of Illinois, and it
6 shall be the duty of the State's Attorney, in each county in this State, to prose-
7 cute for any violations of the provisions of this act. Such prosecutions may be
8 carried on either by indictment, information filed by the State's Attorney, or by
9 an action of debt for the penalties incurred.

§ 4. Any telegraph corporation, company or individual complying with the
2 requirements of this act, and receiving the certificate, or license, from the
3 Auditor, as provided in this act, shall be permitted to do business in any part of
4 this State.

1. Introduced by Mr. Whiting, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Revenue.
3. Reported back January 31, 1883, passage recommended, and ordered to second reading.
4. Second reading February 13, 1883, amended, and ordered to third reading.

A BILL

For An Act providing for Licensing Corporations, Companies or Individuals operating Telegraph Lines.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly.* That each and every person, company or corporation,
3 whether incorporated, organized or residing in this State or outside this
4 State, operating a telegraph line in this State, shall make an annual report
5 to the Auditor of Public Accounts, on or before the tenth day of January,
6 1884, and each year thereafter, which report shall state:

7 *First*—The name and locality of the person, company or corporation.

8 *Second*—The number of miles of telegraph operated by said person, com-
9 pany or corporation in this State, and the location of its lines therein.

10 *Third*—The amount of gross receipts from all sources of their business
11 received within the State, for the year ending the thirty-first day of December
12 preceding such report. This report shall be verified by the oath of the
13 proper person or officer as to its truth.

§ 2. It shall not be lawful, after the tenth day of January, 1884, for any
2 person, company or corporation to transact the business of telegraphing or
3 sending messages by telegraph for a compensation, without first making the
4 report as herein required, and procuring from the auditor a certificate of

5 authority or license; and it shall be a condition precedent to the issuing or
 6 the renewal of the annual certificate, or license, by the auditor, that the person
 7 company or corporation making the statement shall pay into the State treasury
 8 the specific sum of two per cent. on the gross amount received by said per-
 9 son, company or corporation within this State, for the year included in the
 10 report provided for in section one of this act, which said specific sum may
 11 be recovered in any court of competent jurisdiction, at the suit of this
 12 State. It shall be the duty of the State treasurer to give his receipt in
 13 duplicate for all moneys paid into the State treasury under the provisions
 14 of this act; and the Auditor of Public Accounts, on the presentation of such
 15 receipt from the treasurer, shall issue as many copies of the annual certifi-
 16 cate, or license, as may be desired by said company, not exceeding one for
 17 each agent or place of business in this State.

§ 3. Any person, company or corporation violating the provisions of this
 2 act shall, upon conviction thereof in any court of competent jurisdiction, be
 3 fined in any sum not less than ten nor more than one hundred dollars for
 4 each and every act, at the discretion of the court. Violations of the pro-
 5 visions of this act may be prosecuted in the name of the people of the State
 6 of Illinois, and it shall be the duty of the State's attorney, in each county in
 7 this State, to prosecute for any violations of the provisions of this act.
 8 Such prosecutions may be carried on either by indictment, information filed
 9 by the State's attorney, or by an action of debt for the penalties incurred.

§ 4. Any telegraph corporation, company or individual complying with
 2 the requirements of this act, and receiving the certificate, or license, from
 3 the auditor, as provided in this act, shall be permitted to do business in
 4 any part of this State.

1. Reported to House, February 23, 1883.
2. First reading March 22, 1883, and referred to Committee on Revenue.
3. Reported back, passage recommended, report concurred in, and ordered to second reading, March 30, 1883.

A BILL

For An Act providing for licensing corporations, companies or individuals operating telegraph lines.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That each and every person, company or corporation,
3 whether incorporated, organized or residing in this State, or outside this
4 State, operating a telegraph line in this State, shall make an annual report
5 to the Auditor of Public Accounts, on or before the tenth day of January,
6 1884, and each year thereafter, which report shall state:

7 *First*—The name and locality of the person, company or corporation.

8 *Second*—The number of miles of telegraph operated by said person, com-
9 pany or corporation in this State, and the location of its lines therein.

10 *Third*—The amount of gross receipts from all sources of their business,
11 received within the State, for the year ending the thirty-first day of Decem-
12 ber, preceding such report. This report shall be verified by the oath of the
13 proper person or officer, as to its truth.

§ 2. It shall not be lawful, after the tenth day of January, 1884, for any
2 person, company or corporation to transact the business of telegraphing or
3 sending messages by telegraph for a compensation, without first making the
4 report as herein required, and procuring from the Auditor a certificate of
5 authority or license; and it shall be a condition precedent to the issuing or
6 the renewal of the annual certificate or license by the Auditor, that the per-

son, company or corporation making the statement shall pay into the State treasury the specific sum of two per cent. on the gross amount received by said person, company or corporation within this State, for the year included in the report provided for in section one, of this act; which said specific sum may be recovered in any court of competent jurisdiction, at the suit of this State. It shall be the duty of the State Treasurer to give his receipt in duplicate for all moneys paid into the State Treasury under the provisions of this act; and the Auditor of Public Accounts, on the presentation of such receipt from the Treasurer, shall issue as many copies of the annual certificate, or license, as may be desired by said company, not exceeding one for each agent or place of business in this State.

§ 3. Any person, company or corporation violating the provisions of this act, shall, upon conviction thereof in any court of competent jurisdiction, be fined in any sum not less than ten nor more than one hundred dollars for each and every act, at the discretion of the court. Violations of the provisions of this act may be prosecuted in the name of the People of the State of Illinois, and it shall be the duty of the State's Attorney, in each county in this State, to prosecute for any violations of the provisions of this act. Such prosecutions may be carried on either by indictment, information filed by the State's Attorney, or by an action of debt for the penalties incurred.

§ 4. Any telegraph corporation, company, or individual, complying with the requirements of this act, and receiving the certificate, or license, from the Auditor, as provided in this act, shall be permitted to do business in any part of this State.

1. Introduced by Mr. Hereley, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Municipalities.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections 127 and 128 of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly*, That sections 127 and 128 of an act entitled "An act to
- 3 revise the law in relation to criminal jurisprudence," approved March 27,
- 4 1874, in force July 1, 1874, be amended as follows:
- 5 "Section 127. Every person who shall set up or keep any table or gamb-
- 6 ling device commonly called A. B. C., red and black, faro bank, roulette,
- 7 equality, keno, or any kind of gambling table or gambling device, adapted,
- 8 devised and designed for the purpose of playing any game of chance for
- 9 money or property, and shall induce, entice or permit any person to bet or
- 10 play at or upon any game played on or by means of such table or gambling
- 11 device, or on the side of, or against the "banker," keeper or owner thereof,
- 12 shall, on conviction, be adjudged guilty of felony, and shall be punished by
- 13 imprisonment in the penitentiary for a term not less than one nor more
- 14 than three years.
- 15 "Section 128. The provisions of section 127 of this act shall apply to every
- 16 tavern keeper, common victualer, restaurant keeper, or any other person who
- 17 keeps or suffers to be kept upon his premises, or those occupied by him, or

18 by any person lodging or living with him, any of the devices for gambling
19 mentioned in said section, or any other device adapted, devised and designed
20 for the purpose of playing any game of chance. It is further provided that
21 whenever any judge or justice of the peace shall have knowledge, or shall
22 receive satisfactory information that there is any gaming table or gambling
23 device of any nature kept or used within his county, he shall forthwith
24 issue his warrant, directed to the sheriff, or any constable or police officer,
25 to seize and hold in safe custody for such judge or justice of the peace,
26 such gaming table, gambling implements, or other device; and every such
27 judge or justice of the peace holding the possession, by virtue of his said
28 warrant, of any such gaming table or gambling device as aforesaid, shall
29 cause the same to be destroyed by burning or otherwise."

1. Introduced by Mr. Bell, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 3, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 107 of An Act entitled "An Act in regard to roads and bridges in counties under township organization," approved May 28, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That section 107 of an act entitled "An act in regard to roads and bridges in counties under township organization," approved May 28, 1879, is hereby amended so as to read as follows:

"§ 107. For the purpose of building or keeping in repair such bridge or bridges, it shall be lawful for the commissioners of highways of such adjoining towns, whether they be in the same or different counties, to enter into joint contracts, and such contracts may be enforced in law or equity against commissioners jointly, the same as if entered into by individuals; and such commissioners may be proceeded against jointly by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damages growing out of such neglect. Whenever the commissioners of highways of either of such adjoining towns shall refuse to enter into such joint contract to build and maintain such bridge or bridges, the commissioners of the other town shall petition the supervisor of such town to call a special town meeting to vote upon the proposition as to whether such town shall proceed to build and maintain such bridge or bridges at its own expense. Such petition shall be signed by the commissioners in their official capacity, and by at least twenty-five freeholders of such town, and shall be filed in the office of the town clerk of such town. If such proposed bridge shall require a larger sum of money to complete it than is equal to 20 cents on each one hundred dollars of a single year's assessment, the proposition to borrow money to build such bridge may also be

20 included in the proposition to build such bridge. Upon the filing of said petition, the super-
 21 visor shall order the town clerk, by an instrument in writing to be signed by him, to post up in
 22 four of the most public places in said town, notices of such special town meeting, which notices
 23 shall state the object, time and place of meeting, which time shall be not less than fifteen days
 24 from the time of posting said notices. The voting shall be by ballot, and if simply the question
 25 as to the building of the bridge is submitted, if the voter desires to vote for building the bridge,
 26 his ballot shall state "to build a bridge," and if he desires to vote against the proposition, his
 27 ballot shall state, "against the proposition to build bridge." If the proposition shall be included
 28 in the notice, the voter desiring to vote affirmatively shall state on his ballot "to build bridge
 29 and to borrow money to construct the same;" and if he desires to vote negatively, his ballot
 30 shall state "against the proposition to build bridge and to borrow money to construct the same."
 31 Such special town meeting shall be held and the returns thereof made in the same manner which
 32 now is or hereafter may be provided by law for the holding of other special town meetings.
 33 If the proposition to build such bridge shall receive a majority of all the votes cast at such elec-
 34 tion, the commissioners shall then have the power to contract for the building of such bridge
 35 and approaches thereto, the same as if the bridge was entirely located in such town, and shall
 36 have the power to acquire by purchase, lease or gift, any bridge already built, suited to their
 37 purpose, or any land upon which to build the approaches, or may use for the purpose of such
 38 approaches any public highway that may lead to the bank of the stream where said
 39 bridge is to be built on either side of said stream, whether such highway may be within the
 40 limits of said town or county or not. If a proposition to build such bridge and borrow money
 41 to build the same shall receive a majority of the votes cast at such special town meeting, the
 42 supervisor and town clerk, under the direction of the commissioners of highways, shall issue
 43 from time to time as the work progresses, a sufficient amount in the aggregate of the bonds of
 44 said town for the purpose of building such bridge, said bonds to be of such denominations, bear
 45 such rate of interest, not exceeding eight per cent., upon such time, and be disposed of as the
 46 necessities and conveniences of said commissioners may require. Such bonds shall not be sold
 47 for less than their par value, and such town shall provide for the payment of such bonds and
 48 interest by appropriate taxation."

1. Introduced by Mr. Bell, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back February 3, 1883, passage recommended, and ordered to second reading.
4. Second reading February 15, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 107 of An Act entitled "An Act in regard to roads and bridges in counties under township organization," approved May 28, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section 107 of an act entitled "An act in regard to roads and bridges in coun-
3 ties under township organization," approved May 28, 1879, in force July 1, 1879, is hereby
4 amended so as to read as follows:

5 "§ 107. For the purpose of building or keeping in repair such bridge or bridges, it shall be
6 lawful for the commissioners of highways of such adjoining towns, whether they be in the
7 same or different counties, to enter into joint contracts, and such contracts may be enforced in
8 law or equity against such commissioners jointly, the same as if entered into by individuals; and
9 such commissioners may be proceeded against jointly by any parties interested in such bridge or
10 bridges, for any neglect of duty in reference to such bridge or bridges, or for any damages grow-
11 ing out of such neglect. Whenever the commissioners of highways of either of such adjoining
12 towns shall refuse to enter into such joint contract to build and maintain such bridge or bridges,
13 the commissioners of the other town shall petition the supervisor of such town to call a special
14 town meeting to vote upon the proposition as to whether such town shall proceed to build and
15 maintain such bridge or bridges at its own expense. Such petition shall be signed by the com-
16 missioners in their official capacity, and by at least twenty-five freeholders of such town, and
17 shall be filed in the office of the town clerk of such town. If such proposed bridge shall require
18 a larger sum of money to complete it than is equal to 20 cents on each of one hundred dollars of a
19 single year's assessment, the proposition to borrow money to build such bridge may also be

30 included in the proposition to build such bridge. Upon the filing of said petition, the super-
 31 visor shall order the town clerk, by an instrument in writing to be signed by him, to post up in
 32 four of the most public places in said town, notices of such special town meeting, which notices
 33 shall state the object, time and place of meeting, which time shall be not less than fifteen days
 34 from the time of posting said notices. The voting shall be by ballot, and if simply the question
 35 as to the building of the bridge is submitted, if the voter desires to vote for building the bridge,
 36 his ballot shall state "to build a bridge," and if he desires to vote against the proposition, his
 37 ballot shall state, "against the proposition to build bridge." If the proposition to borrow money
 38 to build such bridge shall be included in the notice, the maximum amount to
 39 be borrowed shall be stated in the same and the voter desiring to vote
 40 affirmatively shall state on his ballot "to build bridge and to borrow money to construct
 41 the same;" and if he desires to vote negatively, his ballot shall state "against
 42 the proposition to build bridge and to borrow money to construct the same."
 43 Such special town meeting shall be held and the returns thereof made in the same manner which
 44 now is or hereafter may be provided by law for the holding of other special town meetings.
 45 If the proposition to build such bridge shall receive a majority of all the votes cast at such elec-
 46 tion, the commissioners shall then have the power to contract for the building of such bridge
 47 and approaches thereto, the same as if the bridge was entirely located in such town, and shall
 48 have the power to acquire by purchase, lease or gift, any bridge already built, suited to their
 49 purpose, or any land upon which to build the approaches, or may use for the purpose of such
 50 approaches any public highway that may lead to the bank of the stream where said
 bridge is to be built on either side of said stream, whether such highway may be within the
 limits of said town or county or not. If a proposition to build such bridge and borrow money
 to build the same shall receive a majority of the votes cast at such special town meeting, the
 supervisor and town clerk, under the direction of the commissioners of highways, shall issue
 from time to time, as the work progresses, a sufficient amount in the aggregate of the bonds of
 said town for the purpose of building such bridge and the approaches thereto, or to purchase
 any bridge already built, as the case may be, said bonds to be of such denominations, bear
 such rate of interest, not exceeding eight per cent., upon such time, and be disposed of as the
 necessities and conveniences of said commissioners may require. Such bonds shall not be sold
 for less than their par value, and such town shall provide for the payment of such bonds and
 interest by appropriate taxation."

§ 2. As there are now towns in this State in great need of the authority to build such bridges,
and the people of which desire to vote upon the same at the coming April town meeting, there-
fore an emergency exists, and this act shall take effect from and after its passage.

1. Reported to House February 23, 1883.
2. First reading March 7, 1883, and ordered to second reading.

A BILL

For An Act to amend section 107 of An Act entitled "An Act in regard to roads and bridges in counties under township organization," approved May 28, 1879, in force July 1, 1879.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General

Assembly: That section 107 of an act entitled "An act in regard to roads and bridges in counties under township organization," approved May 28, 1879, in force July 1, 1879, is hereby amended so as to read as follows:

"Section 107. For the purpose of building or keeping in repair such bridge or bridges, it shall be lawful for the commissioners of highways of such adjoining towns, whether they be in the same or different counties, to enter into joint contracts, and such contracts may be enforced in law or equity against such commissioners jointly, the same as if entered into by individuals; and such commissioners may be proceeded against jointly by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damages growing out of such neglect. Whenever the commissioners of highways of either of such adjoining towns shall refuse to enter into such joint contract to build and maintain such bridge or bridges, the commissioners of the other town shall petition the supervisor of such town to call a special town meeting to vote upon the proposition as to whether such town shall proceed to build and maintain such bridge or bridges at its own expense. Such petition shall be signed by the commissioners in their official capacity, and by at least twenty-five freeholders of such town, and shall be filed in the office of the town clerk of such town. If such proposed bridge shall require a larger sum of money to complete it than is equal to 50 cents on each of one hundred dollars of a single year's assessment, the proposition to borrow money to build such bridge may also be included in the proposition to build such bridge. Upon the filing of said petition, the supervisor shall order the town clerk, by an instrument in writing to be signed by him, to post up in

22 four of the most public places in said town, notices of such special town meeting, which notices
 23 shall state the object, time and place of meeting, which time shall be not less than fifteen days
 24 from the time of posting said notices. The voting shall be by ballot, and if simply the question
 25 as to the building of the bridge is submitted, if the voter desires to vote for building the bridge,
 26 his ballot shall state "to build a bridge," and if he desires to vote against the proposition, his
 27 ballot shall state, "against the proposition to build bridge." If the proposition to borrow money
 28 to build such bridge shall be included in the notice, the maximum amount to
 29 be borrowed shall be stated in the same and the voter desiring to vote
 30 affirmatively shall state on his ballot "to build bridge and to borrow money to construct
 31 the same;" and if he desires to vote negatively, his ballot shall state "against
 32 the proposition to build bridge and to borrow money to construct the same."
 33 Such special town meeting shall be held and the returns thereof made in the same manner which
 34 now is or hereafter may be provided by law for the holding of other special town meetings.
 35 If the proposition to build such bridge shall receive a majority of all the votes cast at such elec-
 36 tion, the commissioners shall then have the power to contract for the building of such bridge
 37 and approaches thereto, the same as if the bridge was entirely located in such town, and shall
 38 have the power to acquire by purchase, lease or gift, any bridge already built, suited to their
 39 purpose, or any land upon which to build the approaches, or may use for the purpose of such
 40 approaches any public highway that may lead to the bank of the stream where said
 41 bridge is to be built on either side of said stream, whether such highway may be within the
 42 limits of said town or county or not. If a proposition to build such bridge and borrow money
 43 to build the same shall receive a majority of the votes cast at such special town meeting, the
 44 supervisor and town clerk, under the direction of the commissioners of highways, shall issue
 45 from time to time, as the work progresses, a sufficient amount in the aggregate of the bonds of
 46 said town for the purpose of building such bridge and the approaches thereto, or to purchase
 47 any bridge already built, as the case may be, said bonds to be of such denominations, bear
 48 such rate of interest, not exceeding eight per cent., upon such time, and be disposed of as the
 49 necessities and conveniences of said commissioners may require. Such bonds shall not be sold
 50 for less than their par value, and such town shall provide for the payment of such bonds and
 interest by appropriate taxation."

§ 2. As there are now towns in this State in great need of the authority to build such bridges,
 and the people of which desire to vote upon the same at the coming April town meeting, there-
 fore an emergency exists, and this act shall take effect from and after its passage.

1. Introduced by Mr. Lemma, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, and referred to Committee on Appropriations.
4. Reported back April 18, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 112, RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend item two of written bill by striking out the words "five thousand and five hundred
2 dollars," and insert in lieu thereof, the words "three thousand dollars."
2. Amend item five of written bill by striking out the words "seventeen thousand," and insert
3 in lieu thereof, the words "ten thousand."
3. Amend item six of written bill by striking out the words "three thousand," and insert in
4 lieu thereof, the words "two thousand five hundred."
4. Amend item seven of written bill by striking out the words "five hundred," and insert in
5 lieu thereof, the words "two hundred and fifty."
5. Amend item twelve of written bill by striking out the words "sixty-four hundred dollars,"
6 and insert in lieu thereof, the words "five thousand dollars," and after the word dollars add the
7 following: "The title to be examined and approved in writing by the Attorney General, before
8 warrant drawn for the amount."
6. Amend by striking out items "eight," "nine" and "thirteen" of written bill.

A BILL

For An Act making appropriations for the Illinois Southern Hospital for the insane at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

- 2 *Assembly:* That the following amounts be, and are hereby appropriated to the Southern Hos-
- 3 pital for the insane at Anna, for the purposes herein named:

- 4 For ordinary expenses from July 1, 1883, the sum of ninety-eight thousand dollars per annum
- 5 thereafter, until the expiration of the first fiscal quarter after the adjournment of the next Gen-
- 6 eral Assembly.
- 7 For repairs and improvements, five thousand and five hundred dollars per annum.
- 8 For care and improvements of grounds, one thousand dollars per annum.
- 9 For a new main sewer, three thousand dollars.
- 10 For settling basin and filter, pure water reservoir and pipes, seventeen thousand dollars.
- 11 For an additional fire pump, discharge pipes and fire plugs, outside of the building, three thous-
- 12 and dollars.
- 13 For five-eighths mile of fence, five hundred dollars.
- 14 For carpenter shop, paint shop and machinery, four thousand dollars.
- 15 For slaughter house, three thousand dollars.
- 16 For converting barracks into a permanent cottage, four thousand dollars.
- 17 For furnishing same two thousand dollars.
- 18 For the purchase of one hundred and sixty acres of land, sixty-four hundred dollars.
- 19 For stone culvert to replace decaying bridge on road to Anna, and necessary filling of earth,
- 20 twenty-six hundred dollars.

§ 2. The money herein appropriated shall be due and payable to the trustees or their order
2 only, on the terms and in the manner now provided by law.

1. Introduced by Mr. Lemma, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, and referred to Committee on Appropriations.
4. Reported back April 18, 1883, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 3, 1883, amended and ordered to third reading.

A BILL

For An Act making appropriations for the Illinois Southern Hospital for the insane at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following amounts be, and are hereby appropriated to the Southern Hos-
3 pital for the Insane at Anna, for the purposes herein named:

4 For ordinary expenses from July 1, 1883, the sum of ninety-eight thousand dollars per annum
5 thereafter, until the expiration of the first fiscal quarter after the adjournment of the next Gen-
6 eral Assembly.

7 For repairs and improvements, three thousand dollars per annum

8 For care and improvement of grounds, one thousand dollars per annum.

9 For a new main sewer, three thousand dollars.

10 For settling basin and filter, pure water reservoir and pipes, ten thousand dollars.

11 For an additional fire pump, discharge pipes and fire plugs, outside of the building, two
12 thousand five hundred dollars.

13 For five-eighths mile of fence, two hundred and fifty dollars.

14 For converting barracks into a permanent cottage, four thousand dollars.

15 For furnishing same two thousand dollars.

16 For the purchase of one hundred and sixty acres of land, sixty-four hundred dollars; the title
17 to be examined and approved in writing by the Attorney General before warrant drawn for the
18 amount.

§ 2. The money herein appropriated shall be due and payable to the trustees or their order
2 only, on the terms and in the manner now provided by law.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act making appropriations for the Illinois Southern Hospital for the Insane at Anna.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly:* That the following amounts be, and are hereby appropriated
- 3 to the Southern Hospital for the insane at Anna, for the purpose herein
- 4 named:
- 5 For ordinary expenses from July 1, 1883, the sum of ninety-eight thousand
- 6 dollars per annum, thereafter, until the expiration of the first fiscal quarter
- 7 after the adjournment of the next General Assembly.
- 8 For repairs and improvements, three thousand dollars per annum.
- 9 For care and improvements of grounds, one thousand dollars per annum.
- 10 For a new main sewer, three thousand dollars.
- 11 For settling basin and filter, pure water reservoir and pipes, ten thousand
- 12 dollars.
- 13 For an additional fire pump, discharge pipes and fire plugs, outside of the
- 14 building, two thousand five hundred dollars.
- 15 For five-eighths mile of fence, two hundred and fifty dollars.
- 16 For converting barracks into a permanent cottage, four thousand dollars.
- 17 For furnishing same, two thousand dollars.
- 18 For the purchase of one hundred and sixty acres of land, sixty-four
- 19 hundred dollars; the title to be examined and approved in writing by the
- 20 Attorney-General before warrant drawn for the amount.

§ 2. The money herein appropriated shall be due and payable to the
2 trustees or their order, only on the terms and in the manner now provided
3 by law.

1. Introduced by Mr. Sunderland, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Canals and Rivers.
3. Reported back April 13, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers," approved March 27, 1874, in force July 1, 1874.

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- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section five (5) of an act entitled "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers," approved March 27, A. D. 1874, in force July 1, 1874, be amended so as to read as follows:
- "Section 5. Each of said commissioners shall receive for his services the sum of ten hundred dollars per annum, and no other fee compensation or emoluments whatever."

AMENDMENTS ADOPTED BY THE COMMITTEE ON CANALS AND RIVERS TO SENATE BILL 113.

1. Amend title by inserting after the word "amend," the words, "section five of."
2. Amend by inserting in the last line of the bill, after the word "emoluments," the words "or expenses," and strike out the word "or" in the preceding line.
3. Amend by striking out the word "ten," before the word "hundred," and insert in lieu thereof the word "twelve."

1. Introduced by Mr. Condee, January 26, 1883, and ordered to first reading.
2. First reading, January 26, 1883, and referred to Committee on Judiciary.
3. Reported back February 21, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 120 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

Be it enacted by the People of the State of Illinois, represented in the General

2 *Assembly.* SECTION 1. That section 120 of an act entitled "An act for the incor-

3 poration of cities and villages," approved April 10, 1872, be and the same is

4 hereby amended so as to read as follows:

5 "Section 120. Such petition shall contain a copy of the said ordinance,

6 certified by the clerk, under the corporate seal; a reasonably accurate de-

7 scription of the lots, parcels of land and property which will be taken or

8 damaged, and the names of the owners and occupants thereof, so far as

9 known to the board or officer filing the petition, and where any known

10 owners are non-residents of the State, stating the fact of such non-residence.

11 In cases where the improvement is such that the making thereof will not

12 require that private property shall be taken, but may require that private

13 property shall be damaged, it shall be sufficient for the petition to contain

14 a description, as aforesaid, of the lots, parcels of land and property which

15 will front or abut on the proposed improvement, and the owners of all other

16 property which may be damaged by the improvement may be made parties

17 defendant by the name of "Unknown owners of property which may be

18 damaged by said improvement," and upon affidavit filed, that the owners of

19 such property are unknown, such owners may be served by publication with

the effect and as hereinafter provided. All persons claiming an interest in any lot, piece or parcel of land which may be damaged by the improvement, may appear and file a statement of his interest in and a description of the lot, parcel of land or other property in respect to which he claims compensation, and the verdict and judgment shall be a conclusion against the owners of property which will not front or abut on the proposed improvement, and who may be made parties, as aforesaid, as if they had been made defendants by their proper names and personally served."

§ 2. Whereas, an emergency exists, that this act shall take effect without delay, therefore this act shall take effect and be in force from and after its passage.

AMENDMENTS TO SENATE BILL NO. 114, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend title by striking out of line 1, the figures "190," and insert in lieu thereof the following: "Section 5 of Article IX."
2. Amend by inserting before the word "be" in line 5, the following: "Section 1."
3. Amend by striking out of line 8, the following: "Section 1."
4. Amend by striking out of line 8, the figures "190," and insert in lieu thereof the following: "Section 5 of Article IX."
5. Amend by striking out of line 14, the figures "190," and insert in lieu thereof the figure "5."
6. Amend by striking out of line 51, the words "all persons," and insert in lieu thereof the words "any person."
7. Amend by striking out "Section 2."

1. Introduced by Mr. Condee, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to the Committee on Judiciary.
3. Reported back February 21, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 14, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 5, of article IX, of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General

Assembly: That section 5, of article IX, of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872, be, and the same is hereby amended so as to read as follows:

"Section 5. Such petition shall contain a copy of the said ordinance, certified by the clerk, under the corporate seal, a reasonably accurate description of the lots, parcels of land and property which will be taken or damaged, and the names of the owners and occupants thereof, so far as known to the board or officer filing the petition, and where any known owners are non-residents of the State, stating the fact of such non-residence. In cases where the improvement is such that the making thereof will not require that private property shall be taken, but may require that private property shall be damaged, it shall be sufficient for the petition to contain a description, as aforesaid, of the lots, parcels of lands and property which will front or abut on the proposed improvement, and the owners of all other property, which may be damaged by the improvement, whose names are unknown or are non-residents of the State, may be made parties defendant by the name of 'Unknown owners of property, which may be damaged by said improvement,' and upon affidavit filed, that the owners of such property are unknown, such owners may be served by publication, with the effect and as hereinafter provided. Any person claiming an interest in any lot, piece or parcel of land, which may be damaged by the improvement, may appear and file a statement of his interest in and a description of the lot, parcel of land or other property, in respect to which he claims compensation."

-
1. Reported to House April 5, 1883.
 2. First reading April 7, 1883, and referred to Committee on Municipal Affairs.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading April 20, 1883.
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A BILL

For An Act to amend section 5, of article IX, of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section 5, of article IX, of an act entitled "An act
3 for the incorporation of cities and villages," approved April 10, 1872, be, and
4 the same is hereby amended so as to read as follows:
5 "Section 5. Such petition shall contain a copy of the said ordinance,
6 certified by the clerk, under the corporate seal, a reasonably accurate
7 description of the lots, parcels of land and property which will be taken or
8 damaged, and the names of the owners and occupants thereof, so far as
9 known to the board or officer filing the petition, and where any known
10 owners are non-residents of the State, stating the fact of such non-residence.
11 In cases where the improvement is such that the making thereof will not
12 require that private property shall be taken, but may require that private
13 property shall be damaged, it shall be sufficient for the petition to contain
14 a description, as aforesaid, of the lots, parcels of lands and property which
15 will front or abut on the proposed improvement, and the owners of all other
16 property, which may be damaged by the improvement, whose names are un-
17 known or are non-residents of the State, may be made parties defendant by
18 the name of 'Unknown owners of property, which may be damaged by said

19 improvement,' and upon affidavit filed, that the owners of such property are
20 unknown, such owners may be served by publication, with the effect and as
21 hereinafter provided. Any person claiming an interest in any lot, piece or
22 parcel of land, which may be damaged by the improvement, may appear
23 and file a statement of his interest in, and a description of the lot, parcel of
24 land or other property, in respect to which he claims compensation."

HOUSE AMENDMENT TO SENATE BILL NO. 114.

Amend by adding thereto as follows.

In case such petition shall be filed for the purpose of having judicially
2 ascertained the just compensation to be paid to the owners of property to be
3 taken or damaged by the opening, widening or extension of any street,
4 avenue or alley, then and in either of said cases, the city council or board of
5 trustees interested in such proposed improvement, may, after such compensa-
6 tion has been ascertained by a jury, abandon by ordinance any part of the
7 proposed improvement: *Provided*, the remainder shall be one continuous
8 improvement extending from an existing street or intersecting street, and
9 terminating at another intersecting street. Then, and in that case, like pro-
10 ceedings shall be had to raise the money to defray the cost of the remainder
11 of such improvement as would be in case the part of the improvement so
12 abandoned had not been included in the ordinance ordering the improvement:
13 *And provided, further*, that any special assessment made to defray the cost of
14 the remainder of such improvement shall be confined to the property deemed
15 specially benefited thereby. It is further provided, that any special assess-
16 ment which may have been made to defray the cost of the improvement, as
17 first ordered, shall after such abandonment, be vacated, upon the application
18 of any party interested in such proceedings, and that any money which may
19 have been collected upon such assessment shall be refunded to the parties by
20 whom it was paid."



1. Introduced by Mr. Condee, January 26, 1883, and ordered to first reading.
2. First reading January 26, 1883, and referred to Committee on Miscellaneous.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to bets, pools and wagers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That whosoever shall keep any room or building, or any
3 portion thereof, or occupy any place upon public or private grounds, any-
4 where within the State of Illinois, with apparatus, books, or other device
5 for recording or registering bets or wagers, or shall sell pools, upon the re-
6 sult of any trial or contest of skill, speed or power of endurance of man,
7 bird or beast, or being the owner, lessee, or occupant of any such rooms,
8 building, part or portion thereof, or private grounds, shall knowingly per-
9 mit the same to be used or occupied for any of the purposes aforesaid, or
10 shall therein or thereon keep, exhibit, or employ any device or apparatus
11 for the purpose of registering or recording such bets or wagers, or for the
12 selling of such pools, or shall become the custodian or depository, of any
13 money, property, or other thing of value, staked, wagered, or pledged as
14 aforesaid, upon any such result, shall be deemed guilty of a misdemeanor,
15 and shall, upon conviction, be fined not more than *two hundred dollars*, nor
16 less than *ten dollars* for each offense.

1. Introduced by Mr. Ray, January 27, 1883, and ordered to first reading.
2. First reading January 27, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back February 7, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections fifty-seven and fifty-eight of an act entitled "An act to establish and maintain a system of Free Schools," approved April 1, 1879, and in force July 1, 1879; and amended by an act approved June 2, 1879, and in force July 1, 1879; and further amended by an act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections fifty-seven and fifty-eight, as amended, of the aforesaid act, be amended to read as follows:*

4 "Section 57. Township treasurers shall loan, upon the following conditions, all moneys which shall come to their hands by virtue of their office, except as such as may be subject to distribution. The rate of interest shall not be less than six (6) per cent. nor more than eight (8) per cent. per annum, payable annually, the rate of interest to be determined by a majority of the township trustees, at any regular or special meeting of their board. No loans shall be made for less than six (6) months, or more than five (5) years. For all sums not exceeding one hundred dollars (\$100), loaned for not more than one (1) year, two (2) responsible sureties shall be given; for all sums over one hundred dollars (\$100), and for all loans for more than one (1) year, security shall be given by mortgage on real estate, unincumbered, in value double the amount loaned, with a condition that in case additional security shall at any time be required, the same shall be given to the satisfaction of the board of trustees for the time being: *Provided, that nothing*

18 herein shall prevent the loaning of township funds to boards of school
 19 directors, taking bonds therefor as provided in section forty-seven (47) of
 20 this act. Notes, bonds, mortgages and other securities taken for money or
 21 other property, due or to become due to the board of trustees for the town-
 22 ship, shall be payable to the said board by their corporate name; and in
 23 such name suits, actions and complaints, and every description of legal pro-
 24 ceedings, may be had for the recovery of money, the breach of contracts, and
 25 for every legal liability which may at any time arise or exist, or upon which
 26 a right of action shall accrue to the use of this corporation: *Provided, how-*
 27 *ever,* that notes, bonds, mortgages and other securities in which the name of
 28 the county superintendent or trustees of schools are inserted, shall be valid
 29 to all intents and purposes; and suit shall be brought in the name of the
 30 board of trustees as aforesaid. The wife of the mortgagor (if he has one)
 31 shall join in the mortgage given to secure the payment of money loaned by
 32 virtue of the provisions of this act. Where there is a surplus of funds in
 33 the treasurer's hands belonging to any school district, he may loan the same
 34 for the use and benefit of said district, upon the written request of the
 35 directors of such district, and not otherwise; and all such loans shall be on
 36 the same conditions as are prescribed in this section for the loaning of
 37 township funds. The township treasurer shall, on or before the thirtieth
 38 (30th) day of September, annually, prepare and deliver to the county super-
 39 intendent of his county a statement, verified by affidavit, showing the exact
 40 condition of the township funds. Said statement shall contain a description
 41 of the securities, bonds, mortgages and notes belonging to the township,
 42 giving names of securities, dates, amounts of loan, rate of interest, when
 43 due, and all data by which a full understanding of the condition of the
 44 funds may be obtained. The county superintendent shall preserve said
 45 statement for the use of the township.

46 "Section 58. Mortgages to secure the payment of money loaned under the
 47 provisions of this act, may be in the following form, viz:

48 I, A. B. of the county of....., and State of....., do hereby
 49 grant, convey and transfer to the board of trustees of township.....,

50 range....., in the county of....., and State of Illinois, for the use
 51 of the inhabitants of said township, the following described real estate,
 52 to-wit: (Here insert premises.) Which real estate I declare to be in mort-
 53 gage for the payment of..... dollars loaned to me, and for the payment
 54 of all interest that may accrue thereon, to be computed at the rate of.....
 55 per cent. per annum until paid. And I do hereby covenant to pay the said
 56 sum of money in..... years from the date hereof, and to pay interest on
 57 the same annually at the rate aforesaid. I further covenant that I have a
 58 good and valid title to said estate, and that the same is free from all
 59 incumbrance; and that I will pay all taxes and assessments which may be
 60 levied on said estate; and that I will give any additional security that may
 61 at any time be required, in writing, by said board of trustees; and if said
 62 estate be sold to pay said debt, or any part thereof, or for any failure or
 63 refusal to comply with or perform the conditions or covenants herein con-
 64 tained, I will deliver immediate possession of the premises; and we, A B,
 65 and C, wife of A B, hereby release all right to the said premises which we
 66 may have by virtue of any homestead laws of this State, and in considera-
 67 tion of the premises, C, wife of said A B, doth hereby release to the said
 68 board all her right and title of power in the aforegranted premises for
 69 the purposes aforesaid.

70 In testimony whereof, we have hereunto set our hands and seals, this
 71day of, 18..

72 A B. [SEAL.]

73 C D. [SEAL.]

74 Which mortgage shall be acknowledged and recorded as is required by
 75 law for other conveyances of real estate, the mortgagor paying the expenses
 76 of acknowledgment and recording."

1. Introduced by Mr. Ray, January 27, 1883, and ordered to first reading.
2. First reading January 27, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back February 7, 1883, passage recommended, and ordered to second reading.
4. Second reading February 20, 1883, amended and ordered to a third reading.

A BILL

For An Act to amend sections fifty-seven and fifty-eight of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, and in force July 1, 1872, and amended by an act approved June 3, 1879, and in force July 1, 1879, and further amended by an act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That sections fifty-seven and fifty-eight of an act entitled
3 "An act to establish and maintain a system of free schools," approved April
4 1, 1872, in force July 1, 1872, as amended by act in force July 1, 1879, and
5 further amended by act in force July 1, 1881, be amended to read as follows:
6 "Section 57. Township treasurers shall loan, upon the following condi-
7 tions, all moneys which shall come to their hands by virtue of their office,
8 except such as may be subject to distribution. The rate of interest shall
9 not be less than six (6) per cent. nor more than eight (8) per cent. per
10 annum, payable annually, the rate of interest to be determined by a majority
11 of the township trustees, at any regular or special meeting of their board.
12 No loans shall be made for less than six (6) months, or more than five (5)
13 years. For all sums not exceeding one hundred dollars (\$100), loaned for not
14 more than one (1) year, two (2) responsible sureties shall be given; for all
15 sums over one hundred dollars (\$100), and for all loans for more than one (1)

16 year, security shall be given by mortgage on real estate, unincumbered, in
17 value double the amount loaned, with a condition that in case additional
18 security shall at any time be required, the same shall be given to the satis-
19 faction of the board of trustees for the time being: *Provided*, that nothing
20 herein shall prevent the loaning of township funds to boards of school
21 directors, taking bonds therefor as provided in section forty-seven (47) of
22 this act. Notes, bonds, mortgages and other securities taken for money or
23 other property, due or to become due to the board of trustees for the town-
24 ship, shall be payable to the said board by their corporate name; and in
25 such name suits, actions and complaints, and every description of legal pro-
26 ceedings, may be had for the recovery of money, the breach of contracts, and
27 for every legal liability which may at any time arise or exist, or upon which
28 a right of action shall accrue to the use of this corporation: *Provided, how-*
29 *ever*, that notes, bonds, mortgages and other securities in which the name of
30 the county superintendent or trustees of schools are inserted, shall be valid
31 to all intents and purposes; and suit shall be brought in the name of the
32 board of trustees as aforesaid. The wife of the mortgagor (if he has one)
33 shall join in the mortgage given to secure the payment of money loaned by
34 virtue of the provisions of this act. Where there is a surplus of funds in
35 the treasurer's hands belonging to any school district, he may loan the same
36 for the use and benefit of said district, upon the written request of the
37 directors of such district, and not otherwise; and all such loans shall be on
38 the same conditions as are prescribed in this section for the loaning of
39 township funds. The township treasurer shall, on or before the thirtieth
40 (30th) day of September, annually, prepare and deliver to the county super-
41 intendent of his county, a statement, verified by affidavit, showing the exact
42 condition of the township funds. Said statement shall contain a description
43 of the securities, bonds, mortgages and notes belonging to the township,
44 giving names of securities, dates, amounts of loan, rate of interest, when
45 due, and all data by which a full understanding of the condition of the
46 funds may be obtained. The county superintendent shall preserve said
47 statement for the use of the township.

48 "Section 58. Mortgages to secure the payment of money loaned under the
49 provisions of this act, may be in the following form, viz:

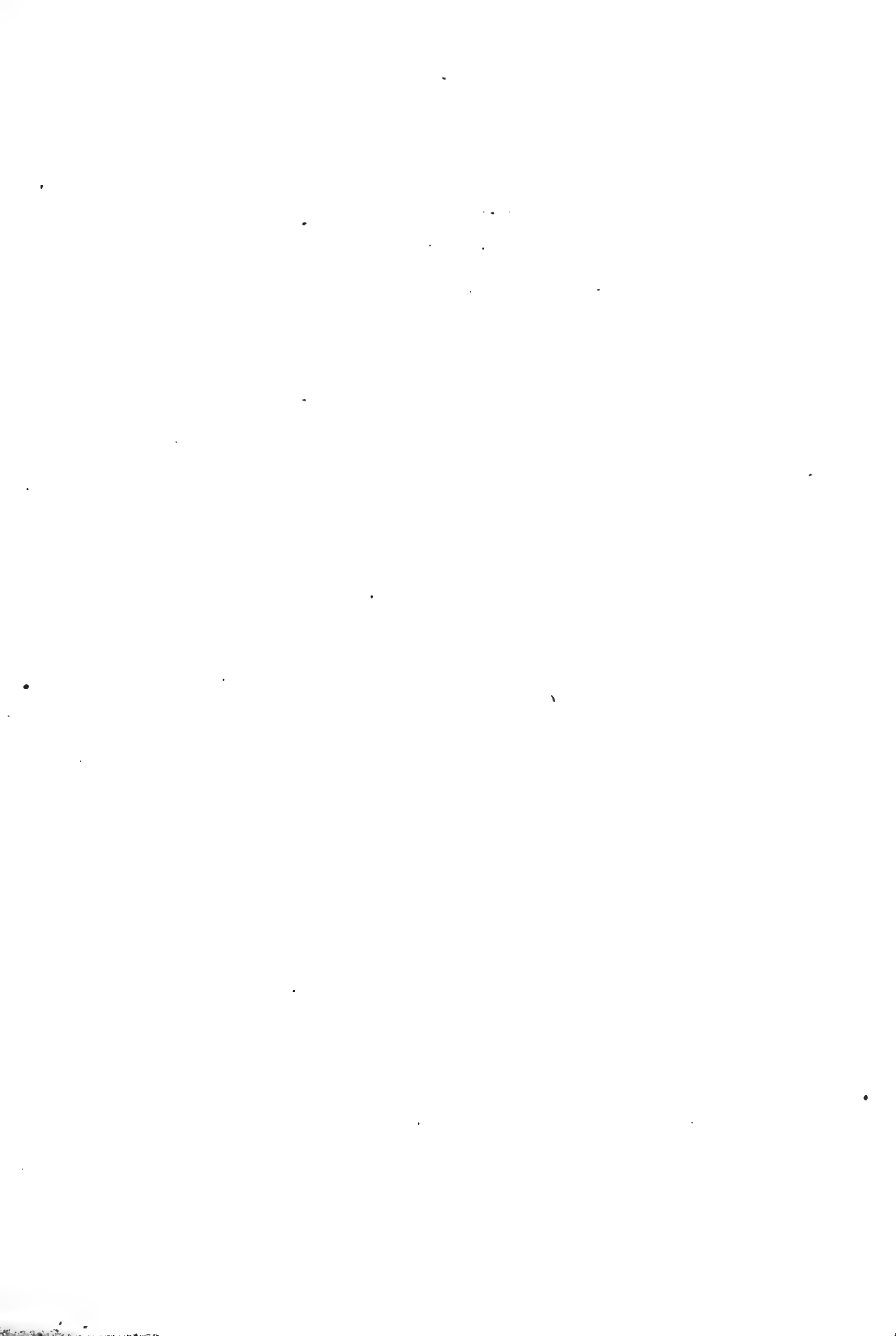
50 I, A B, of the county of....., and State of....., do hereby
51 grant, convey and transfer to the board of trustees of township.....
52 range....., in the county of....., and State of Illinois, for the use
53 of the inhabitants of said township, the following described real estate
54 to-wit: (Here insert premises) Which real estate I declare to be in mort-
55 gage for the payment of..... dollars loaned to me; and for the payment
56 of all interest that may accrue thereon, to be computed at the rate of.....
57 per cent. per annum until paid. And I do hereby covenant to pay the said
58 sum of money in..... years from the date hereof, and to pay interest on
59 the same annually at the rate aforesaid. I further covenant that I have a
60 good and valid title to said estate, and that the same is free from all
61 incumbrance; and that I will pay all taxes and assessments which may be
62 levied on said estate; and that I will give any additional security that may
63 at any time be required, in writing, by said board of trustees; and if said
64 estate be sold to pay said debt, or any part thereof, or for any failure or
65 refusal to comply with or perform the conditions or covenants herein con-
66 tained, I will deliver immediate possession of the premises; and we, A B,
67 and C, wife of A B, hereby release all right to the said premises which we
68 may have by virtue of any homestead laws of this State, and in consideration
69 of the premises, C, wife of said A B, doth hereby release to the said board all
70 her right and title of dower in the aforegranted premises for the purposes
71 aforesaid.

72 In testimony whereof, we have hereunto set our hands and seals, this.....
73 day of....., 18..

74 A B. [SEAL]

75 C B. [SEAL]

76 Which mortgage shall be acknowledged and recorded as is required by
77 law for other conveyances of real estate, the mortgagor paying the expenses of
78 acknowledgment and recording."



1. Reported to House March 6, 1883.
2. First reading March 10, 1883, and referred to Committee on Education.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 15, 1883.

A BILL

For An Act to amend sections fifty-seven and fifty-eight, of an act entitled, "An Act to establish and maintain a system of free schools, approved April 1, 1872, and in force July 1, 1873; and amended by an act approved June 3, 1879, and in force July 1, 1879; and further amended by an act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That sections fifty-seven and fifty-eight, of an act entitled,
3 "An act to establish and maintain a system of free schools," approved April
4 1, 1872, in force July 1, 1872, as amended by act in force July 1, 1879, and
5 further amended by act in force July 1, 1881, be amended to read as
6 follows:
7 "Section 57. Township treasurers shall loan, upon the following condi-
8 tions, all moneys which shall come to their hands by virtue of their office,
9 except such as may be subject to distribution. The rate of interest shall
10 not be less than six (6) per cent. nor more than eight (8) per cent. per
11 annum, payable annually, the rate of interest to be determined by a majority
12 of the township trustees, at any regular or special meeting of their board.
13 No loans shall be made for less than six (6) months, or more than five (5)
14 years. For all sums not exceeding one hundred (\$100) dollars, loaned for
15 not more than one (1) year, two (2), responsible sureties shall be given; for
16 all sums over one hundred dollars (\$100), and for all loans for more than

17 one (1) year, security shall be given by mortgage on real estate, unincum-
18 bered, in value double the amount loaned, with a condition that in case
19 additional security shall at any time be required, the same shall be given to
20 the satisfaction of the board of trustees for the time being: *Provided*, that
21 nothing herein shall prevent the loaning of township funds to boards of
22 school directors, taking bonds therefor, as provided in section forty-seven
23 (47), of this act, notes, bonds, mortgages and other securities taken for money
24 or other property, due or to become due to the board of trustees for the
25 township, shall be payable to the said board by their corporate name; and
26 in such name suits, actions and complaints, and every description of legal
27 proceedings, may be had for the recovery of money, the breach of contracts,
28 and for every legal liability which may at any time arise or exist, or upon
29 which a right of action shall accrue to the use of this corporation: *Provided*,
30 *however*, that notes, bonds, mortgages and other securities, in which the
31 name of the county superintendent or trustees of schools are inserted, shall
32 be valid to all intents and purposes; and suit shall be brought in the name
33 of the board of trustees, as aforesaid. The wife of the mortgagor (if he has
34 one) shall join in the mortgage given to secure the payment of money
35 loaned by virtue of the provisions of this act. Where there is a surplus of
36 funds in the treasurer's hands belonging to any school district, he may loan
37 the same for the use and benefit of said district, upon the written request
38 of the directors of such district, and not otherwise; and all such loans shall
39 be on the same conditions as are prescribed in this section for the loaning
40 of township funds. The township treasurer shall, on or before the thirtieth
41 (30th) day of September, annually, prepare and deliver to the county super-
42 intendent of his county a statement, verified by affidavit, showing the exact
43 condition of the township funds. Said statement shall contain a description
44 of the securities, bonds, mortgages and notes belonging to the township.
45 giving names of securities, dates, amounts of loan, rate of interest, when
46 due, and all data by which a full understanding of the condition of the
47 funds may be obtained. The county superintendent shall preserve said
48 statement for the use of the township.

49 § 58. Mortgages to secure the payment of money loaned under the pro-
50 visions of this act, may be in the following form, viz:

51 I, A B, of the county of _____, and State of _____, do hereby
52 grant, convey and transfer to the board of trustees of township _____,
53 range _____, in the county of _____, and State of Illinois, for the use of
54 the inhabitants of said township, the following described real estate, to wit:
55 (Here insert premises.) Which real estate I declare to be mortgaged for the
56 payment of _____ dollars, loaned to me, and for the payment of all interest
57 that may accrue thereon, to be computed at the rate of _____ per cent. per
58 annum, until paid. And I do hereby covenant to pay the said sum of
59 money in _____ years from the date hereof, and to pay interest on the same
60 annually at the rate aforesaid. I further covenant that I have a good and
61 valid title to said estate, and that the same is free from all incumbrance;
62 and that I will pay all taxes and assessments which may be levied on said
63 estate; and that I will give any additional security that may at any time be
64 required, in writing, by said board of trustees; and if said estate be sold to
65 pay said debt, or any part thereof, or for any failure or refusal to comply
66 with or perform the conditions or covenants herein contained, I will deliver
67 immediate possession of the premises; and we, A B, and C, wife of A B,
68 hereby release all right to the said premises which we may have by virtue
69 of any homestead laws of this State, and in consideration of the premises,
70 C, wife of said A B, doth hereby release to the said board all her right and
71 title of dower in the aforegranted premises, for the purposes aforesaid.

72 In testimony whereof we have hereunto set our hands and seals, this _____
73 day of _____, 18—.

74 A B. [Seal.]

75 C D. [Seal.]

76 Which mortgage shall be acknowledged and recorded, as is required by
77 law for other conveyances of real estate, the mortgagor paying the expenses
78 of acknowledgment and recording."



1. Introduced by Mr. Rogers, January 30, 1883, and ordered to first reading.
2. First reading January 30, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back with amendments, April 18, 1883, passage recommended, and ordered to second reading.

AMENDMENTS TO S. B. 125 RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend by striking out the words and figures "sixty thousand dollars (\$60,000)" in line 9,
2 section 1 of written bill, and insert in lieu thereof the words and figures "Fifty-six thousand
3 dollars (\$56,000)."
- 4 2. Amend by striking out the words and figures "three thousand dollars (\$3,000)" in line 16,
5 section 1 of written bill, and insert in lieu thereof the words and figures "two thousand dollars
6 (\$2,000.)."
- 7 3. Amend by striking out the words and figures "two thousand and five hundred dollars
8 (\$2,500)" in line 24, section 1 of written bill, and insert in lieu thereof the words and figures
9 "one thousand dollars (\$1,000)."
- 10 4. Amend by adding the following after the word "grounds" in line 28, section one of written
11 bill: " *Provided*, that no purchase money of such land shall be paid until the Attorney General
12 shall thoroughly examine the deed of conveyance, proposed to be made to the State, of such land,
13 and shall thoroughly examine all necessary records in regard to title, and shall decide that such
14 conveyance fully grants to such institution the unincumbered title in fee of such land, including
15 all minerals underlying the same."
- 16 5. Amend by striking out the words and figures "three thousand dollars (\$3,000)" in line 39,
17 section 1 of written bill, and insert in lieu thereof the words and figures "two thousand dollars
18 (\$2,000)."
- 19 6. Amend by striking out the words and figures one thousand dollars (\$1,000) in line 30,
20 section 1 of written bill, and insert in lieu thereof the words and figures "Five hundred dollars
21 (\$500) "

A BILL

For An Act making appropriations for the Illinois Asylum for Feeble Minded Children.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General

Assembly: That for the purpose of defraying the ordinary expenses of the Illinois Asylum for Feeble Minded Children, the sum of sixty thousand dollars (\$60,000) per annum be and the same is hereby appropriated out of the State Treasury, payable quarterly in advance from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, and that there be and are hereby appropriated the further sums of three thousand dollars (\$3,000) for the construction of a laundry building, in addition to the three thousand dollars which was appropriated by the last General Assembly—which, being insufficient for the purpose, remains in the State Treasury, and which sum is hereby re-appropriated for the same purpose.

Also, the sum of five thousand dollars (\$5,000) for finishing, furnishing, steam heating, plumbing, and ventilating the basement, main building and wings.

Two thousand and five hundred dollars (\$2,500) for constructing a reservoir or cistern for soft water.

Six thousand and five hundred dollars (\$6,500) for the purchase of thirty-eight acres of land, adjoining and lying immediately west of the present asylum grounds.

Three thousand dollars (\$3,000) per annum for repairs, and one thousand dollars (\$1,000) per annum for improvement of grounds.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant on the State Treasurer for said sums, upon the orders of the Board of Trustees of the Illinois Asylum for Feeble Minded Children, signed by the president, and attested by the secretary of said board with the seal of the asylum.

1. Introduced by Mr. Rogers, January 30, 1883, and ordered to first reading.
2. First reading January 30, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 18, 1883, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 1, 1883, amended and ordered to third reading.

A BILL

For An Act making appropriations for the Illinois Asylum for Feeble Minded Children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

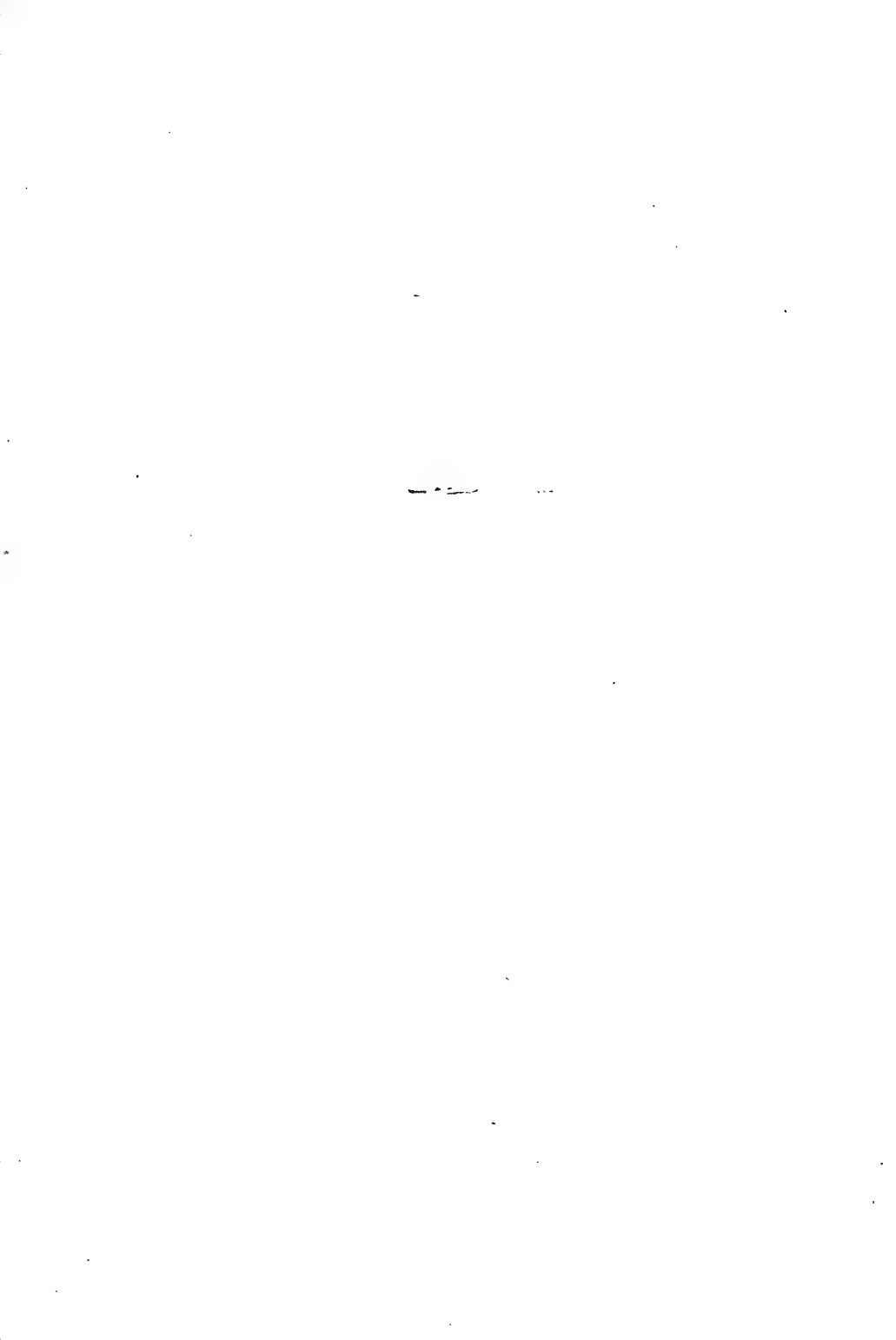
9 *Assembly:* That for the purpose of defraying the ordinary expenses of the Illinois Asylum for
10 Feeble Minded Children, the sum of fifty-six thousand dollars (\$56,000) per annum be and the same
11 is hereby appropriated out of the State Treasury, payable quarterly in advance from the first day
12 of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next
13 General Assembly, and that there be and are hereby appropriated the further sums of two
14 thousand dollars (\$2,000) for the construction of a laundry building, in addition to the three
15 thousand dollars which was appropriated by the last General Assembly—which, being insufficient
16 for the purpose, remains in the State Treasury, and which sum is hereby re-appropriated for the
17 same purpose.

18 Also, the sum of five thousand dollars (\$5,000) for finishing, furnishing, steam heating,
19 plumbing, and ventilating the basement, main building and wings.

20 One thousand dollars (\$1,000) for constructing a reservoir or cistern for soft water.

21 Two thousand dollars (\$2,000) per annum for repairs, and five hundred dollars (\$500) per
22 annum for improvement of grounds.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant
23 on the State Treasurer for said sums, upon the orders of the Board of Trustees of the Illinois
24 Asylum for Feeble Minded Children, signed by the president, and attested by the secretary of
25 said board with the seal of the asylum.



- 1 Reported to House May 16, 1883.
- 2 First reading May 11, 1883, and referred to Committee on Appropriations
- 3 Reported back with amendments, passage recommended, report concurred in, and ordered
to second reading May 16, 1883.

COMMITTEE AMENDMENT TO SENATE BILL NO. 125.

At end of first section, add: "For the purchase of thirty-eight acres of land adjoining and
lying immediately west of the present Asylum ground, the sum of sixty-five hundred dollars
(\$6,500)."

A BILL

For An Act making appropriations for the Illinois Asylum for Feeble-Minded Children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
Assembly: That for the purpose of defraying the ordinary expenses of the Illinois Asylum for
Feeble-Minded Children, the sum of fifty-six thousand dollars (\$56,000) per annum be and the same
is hereby appropriated out of the State Treasury, payable quarterly in advance from the first day
of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next
General Assembly, and that there be and are hereby appropriated the further sums of two
thousand dollars (\$2,000) for the construction of a laundry building, in addition to the three
thousand dollars which was appropriated by the last General Assembly—which, being insufficient
for the purpose, remains in the State Treasury, and which sum is hereby re-appropriated for the
same purpose.

Also, the sum of five thousand dollars (\$5,000) for finishing, furnishing, steam heating,
plumbing, and ventilating the basement, main building and wings.

One thousand dollars (\$1,000) for constructing a reservoir or cistern for soft water.

14 Two thousand dollars (\$2,000) per annum for repairs, and five hundred dollars (\$500) per
15 annum for improvement of grounds.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant
2 on the State Treasurer for said sums, upon the orders of the Board of Trustees of the Illinois
3 Asylum for Feeble-Minded Children, signed by the president, and attested by the secretary of
4 said board with the seal of the asylum.

1. Introduced by Mr. White, January 30, 1883, and ordered to first reading.
2. First reading January 30, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to define the powers and duties of judges, and prescribe the rights of electors at primary elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That primary elections shall hereafter be held in this State under the following conditions: All judges of primary elections shall be selected by the regularly organized district or central committee of any political party or association, and shall receive their authority or commission to act as such judges from the secretary of such district or central committee. Such judges shall, before entering upon their duties, severally be sworn before a justice of the peace or notary public, in manner and form as is now required of judges or inspectors at general elections.

§ 2. After qualification as aforesaid, such judges of the primary election shall be the judges of the qualifications of primary electors, and shall have the power to administer oaths to electors, and examine the same under oath, in order to determine the right of any person to vote at such primary election.

§ 3. No person shall be entitled to vote at a primary election in this State unless he is a citizen of the United States, of the age of twenty-one years or over, and has been an actual resident of the State one year, of the county ninety days, and of the township, ward or election district in which such primary election is held, thirty days; and any person not a citizen of the

6 United States, and neither a resident of this State, nor of the county, town-
7 ship, ward or election district in which such primary election is held, who
8 shall falsely make oath before such election judges that he is a citizen and
9 resident of such State, county, township, ward or election district, shall be
10 deemed guilty of perjury; and upon conviction thereof, shall be sentenced
11 to imprisonment in the bridewell, workhouse, or house of correction, for a
12 term not less than six nor more than twelve months, or shall be subjected to a
13 fine of not less than one nor more than five hundred dollars; and upon a
14 second conviction for the like offense, shall be sentenced to imprisonment in
15 the penitentiary for a term not less than one nor more than three years.

1. Introduced by Mr. White, January 30, 1883, and ordered to first reading.
2. First reading January 30, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 5, 1883, amended and ordered to third reading.

A BILL

For An Act to define the powers and duties of judges, and prescribe the rights of electors at primary elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That primary elections shall hereafter be held in this State
3 under the following conditions: All judges of primary elections shall be se-
4 lected by the regular organized district or central committee of any political
5 party or association, and shall receive their authority or commission to act as
6 such judges from the secretary of such district or central committee. Such
7 judges shall, before entering upon their duties, severally be sworn before a
8 justice of the peace or notary public, in manner and form as is now required
9 of judges or inspectors at general elections.

§ 2. After qualification as aforesaid, such judges of the primary election
2 shall be the judges of the qualifications of primary electors, and shall have
3 the power to administer oaths to electors and examine the same under oath,
4 in order to determine the right of any person to vote at such primary elec-
5 tion.

§ 3. No person shall be entitled to vote at a primary election in this State,
2 unless he is a citizen of the United States, of the the age of twenty-one years or
3 over, and has been an actual residen of the State one year, of the county

4 ninety days, and of the township, ward or election district in which such
5 primary election is held, thirty days; and any person not a citizen of the
6 United States, and neither a resident of this State, nor of the county, town-
7 ship, ward or election district in which such primary election is held, who
8 shall falsely make oath before such election judges that he is a citizen and
9 resident of such State, county, township, ward or election district, shall be
10 deemed guilty of perjury; and upon conviction thereof, shall be sentenced
11 to imprisonment in the bridewell, workhouse or house of correction, for a
12 term not less than six nor more than twelve months, or shall be subject
13 to a fine of not less than one nor more than five hundred dollars; and upon a
14 second conviction for the like offense, shall be sentenced to imprisonment in
15 the penitentiary for a term not less than one nor more than three years.

1. Introduced by Mr. White, January 30, 1883, and ordered to first reading.
2. First reading January 30, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 5, 1883, amended and ordered to third reading.

A BILL

For an Act to define the powers and duties of judges, and prescribe the rights of electors at primary elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That primary elections shall hereafter be held in this State under the following conditions: All judges of primary elections shall be selected by the regular organized district or central committee of any political party or association, and shall receive their authority or commission to act as such judges from the secretary of such district or central committee. Such judges shall, before entering upon their duties, severally be sworn before a justice of the peace or notary public, in manner and form as is now required of judges or inspectors at general elections.

§ 2. After qualification as aforesaid, such judges of the primary election shall be the judges of the qualifications of primary electors, and shall have the power to administer oaths to electors and examine the same under oath, in order to determine the right of any person to vote at such primary election: *Provided*, that the decisions of such judges at any primary election, in all cases, shall be final, and they shall not be held liable to an action at law or otherwise for any decision or judgment rendered while in the discharge of their duties.

§ 3. No person shall be entitled to vote at a primary election in this State, unless he is a citizen of the United States, of the age of twenty-one years or over, and has been an actual resident of the State one year, of the county ninety days, and of the township, ward or election district in which such primary election is held, thirty days; and any person not a citizen of the United States, and neither a resident of this State, nor of the county, township, ward or election district in which such primary election is held, who shall falsely make oath before such election

7 judges that he is a citizen and resident of such State, county, township, ward or election district,
8 shall be deemed guilty of perjury; and upon conviction thereof, shall be sentenced to imprison-
9 ment in the bridewell, workhouse, or house of correction, for a term not less than six nor more
10 than twelve months, or shall be subjected to a fine of not less than one nor more than five
11 hundred dollars; and upon a second conviction for the like offense, shall be sentenced to impris-
12 onment in the penitentiary for a term not less than one nor more than three years.

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1. Reported to House May 18, 1883.
 2. First reading May 26, 1883. and ordered to second reading.
-

A BILL

For An Act to define the powers and duties of judges, and prescribe the rights
of electors at primary elections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That primary elections shall hereafter be held in this State
3 under the following conditions: All judges of primary elections shall be se-
4 lected by the regularly organized district or central committee of any political
5 party or association, and shall receive their authority or commission to act as
6 such judges from the secretary of such district or central committee. Such
7 judges shall, before entering upon their duties, severally be sworn before a
8 justice of the peace or notary public in manner and form as is now required
9 of judges or inspectors at general elections.

§ 2. After qualification as aforesaid, such judges of the primary election
2 shall be the judges of the qualifications of primary electors, and shall have
3 the power to administer oaths to electors and examine the same under oath,
4 in order to determine the right of any person to vote at such primary election.

§ 3. No person shall be entitled to vote at a primary election in this State,
2 unless he is a citizen of the United States, of the age of twenty-one years or
3 over, and has been an actual resident of the State one year, of the county
4 ninety days, and of the township, ward or election district in which such
5 primary election is held, thirty days; and any person not a citizen of the
6 United States, and neither a resident of this State, nor of the county, town-

7 ship, ward or election district in which such primary election is held, who
8 shall falsely make oath before such election judges that he is a citizen and
9 resident of such State, county, township, ward or election district, shall be
10 deemed guilty of perjury, and upon conviction thereof, shall be sentenced
11 to imprisonment in the bridewell, workhouse or house of correction, for a
12 term not less than six nor more than twelve months, or shall be subject
13 to a fine of not less than one nor more than five hundred dollars; and upon a
14 second conviction for the like offense, shall be sentenced to imprisonment in
15 the penitentiary for a term not less than one nor more than three years.

HOUSE AMENDMENTS TO SENATE BILL NO. 126.

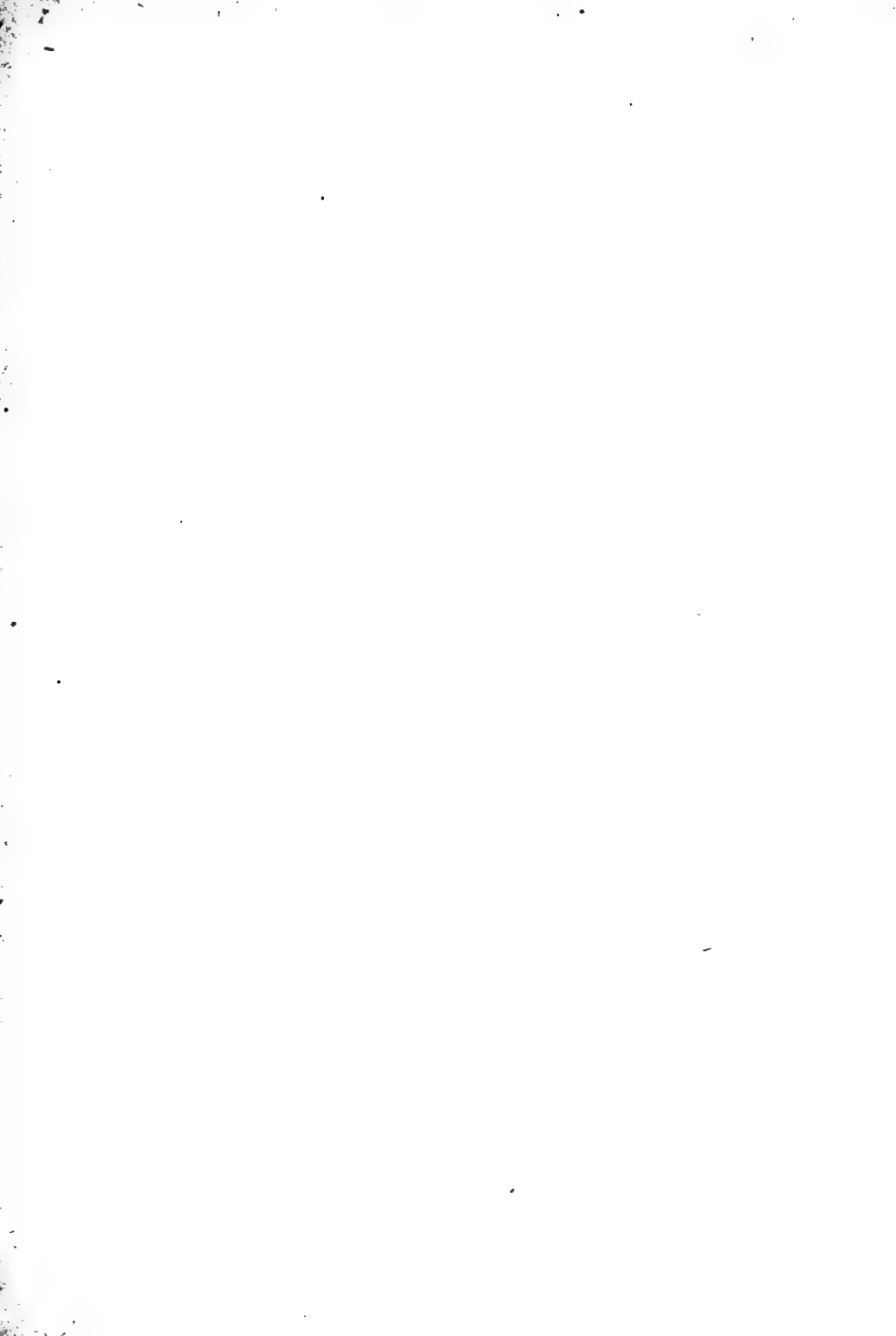
Amend the bill by adding two sections numbered 4 and 5, as follows:

2 "Section 4. Any person who shall willfully and deliberately stuff, or attempt
3 to stuff, control or destroy, for the purposes of fraud, or in any manner by vio-
4 lence or otherwise, interfere with the ballot box used at such election, or hinder
5 the legally constituted officers under this act in the discharge of their duties,
6 shall be subject to arrest, and upon conviction shall be punished by a fine of
7 not less than fifty dollars, nor more than five hundred dollars, or imprison-
8 ment in the county jail not to exceed one year or both, in the discretion of
9 the court.

10 "Section 5. Any judge of any such election who shall knowingly or will-
11 fully permit any person to vote who is not a qualified elector under the pro-
12 visions of this act, or who shall refuse to receive the vote of a qualified
13 elector after he shall have furnished sufficient proofs as required by this act,
14 or who shall be guilty of any fraud, corruption, or partiality in the discharge
15 of the duties required of him by this act, shall upon conviction, be fined in a
16 sum not exceeding one thousand dollars, or confined in the county jail not
17 exceeding one year, or both in the discretion of the court."

18 Amend, by adding another section, as follows:

19 "Section 6. No expense shall be incurred to the city, county or State in the
20 conduct of primary elections held under the provisions of this act."



1. Introduced by Mr. Torrance January 21, 1883, read first time, and referred to Committee on Penal and Reformatory Institutions.
2. Reported back and referred to Committee on Appropriations.
3. Reported back, April 19, 1883, with amendments, passage recommended and ordered to second reading.

AMENDMENTS TO S. B. 199 RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend by striking out the words "thirty-six thousand dollars" in line 14 of written bill (being for ordinary expenses), and insert in lieu thereof the words "forty-two thousand dollars."
2. Amend by striking out the words "ten thousand seven hundred and eight dollars" in lines 17 and 18 of written bill (being for repairs and improvements of west wing), and insert in lieu thereof the words "nine thousand dollars."
3. Amend by striking out the words "thirty-one thousand four hundred and ten dollars" in lines 20 and 21 of written bill (being for new family building), and insert in lieu thereof the words "thirty thousand dollars."
4. Amend by striking out word "for" after "stand-pipe," and insert words "and hose for protection against."
5. Amend by striking out all words in lines 33 and 34 on page one of written bill (being for fifty desks for school room), and all words in lines 1 and 2 on page 2 of written bill (being eighteen seats for chapel).
6. Amend by striking out the word "eight" (being in item for painting wood-work inside of building), and insert in lieu thereof the word "five."

A BILL

For an Act making appropriations for the Illinois State Reform School, at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts be and are hereby appropriated to the Illinois State

3 Reform School, at Pontiac, for the purposes herein named, and for none other:

4 For ordinary expenses, the sum of thirty-six thousand dollars per annum.

5 For repairs and improvements of the west wing of said Reform School, the sum of ten thousand
6 seven hundred and eight dollars.

7 For the erection of a new family building, the sum of thirty-one thousand four hundred and
8 ten dollars.

9 For a new boiler, two thousand five hundred dollars.

10 For a heater and purifier, one thousand dollars.

11 For three cisterns, five hundred dollars.

12 For stand-pipe for fires, three hundred and seventy-five dollars.

13 For fire-pump, pipe and connections, seven hundred dollars.

14 For fifty desks for school room, two hundred and fifty dollars.

15 For eighteen seats for chapel, one hundred and fifty dollars.

16 For the purchase of books for library, two hundred dollars per annum.

17 For painting wood-work inside of buildings, eight hundred dollars.

18 For extraordinary and incidental expenses, one thousand dollars per annum.

§ 2. The money^s herein appropriated shall be paid to the institution in the manner and upon
3 the conditions now provided by law.

1. Introduced by Mr. Torrance January 21, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on Penal and Reformatory Institutions.
2. Reported back March 23, 1883, and referred to Committee on Appropriations.
4. Reported back, April 19, 1883, with amendments, passage recommended and ordered to second reading.
5. Second reading May 1, 1883, amended and ordered to third reading.

A BILL

For an Act making appropriations for the Illinois State Reform School, at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois State

3 Reform School, at Pontiac, for the purposes herein named, and for none other:

4 For ordinary expenses, the sum of forty-two thousand dollars per annum:

5 For repairs and improvements of the west wing of said Reform School, the sum of nine thousand
6 dollars.

7 For the erection of a new family building, the sum of thirty thousand dollars.

8 For a new boiler, two thousand five hundred dollars.

9 For a heater and purifier, one thousand dollars.

10 For three cisterns, five hundred dollars.

11 For stand-pipe and hose for protection against fires, three hundred and seventy-five dollars.

12 For fire-pump, pipe and connections, seven hundred dollars.

13 For the purchase of books for library, two hundred dollars per annum.

14 For painting wood-work inside of buildings, five hundred dollars.

15 For extraordinary and incidental expenses, one thousand dollars per annum.

§ 2. The money, herein appropriated shall be paid to the institution in the manner and upon

2 the conditions now provided by law.



1. Reported to House May 10, 1883.
2. First reading May 16, 1883, and referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

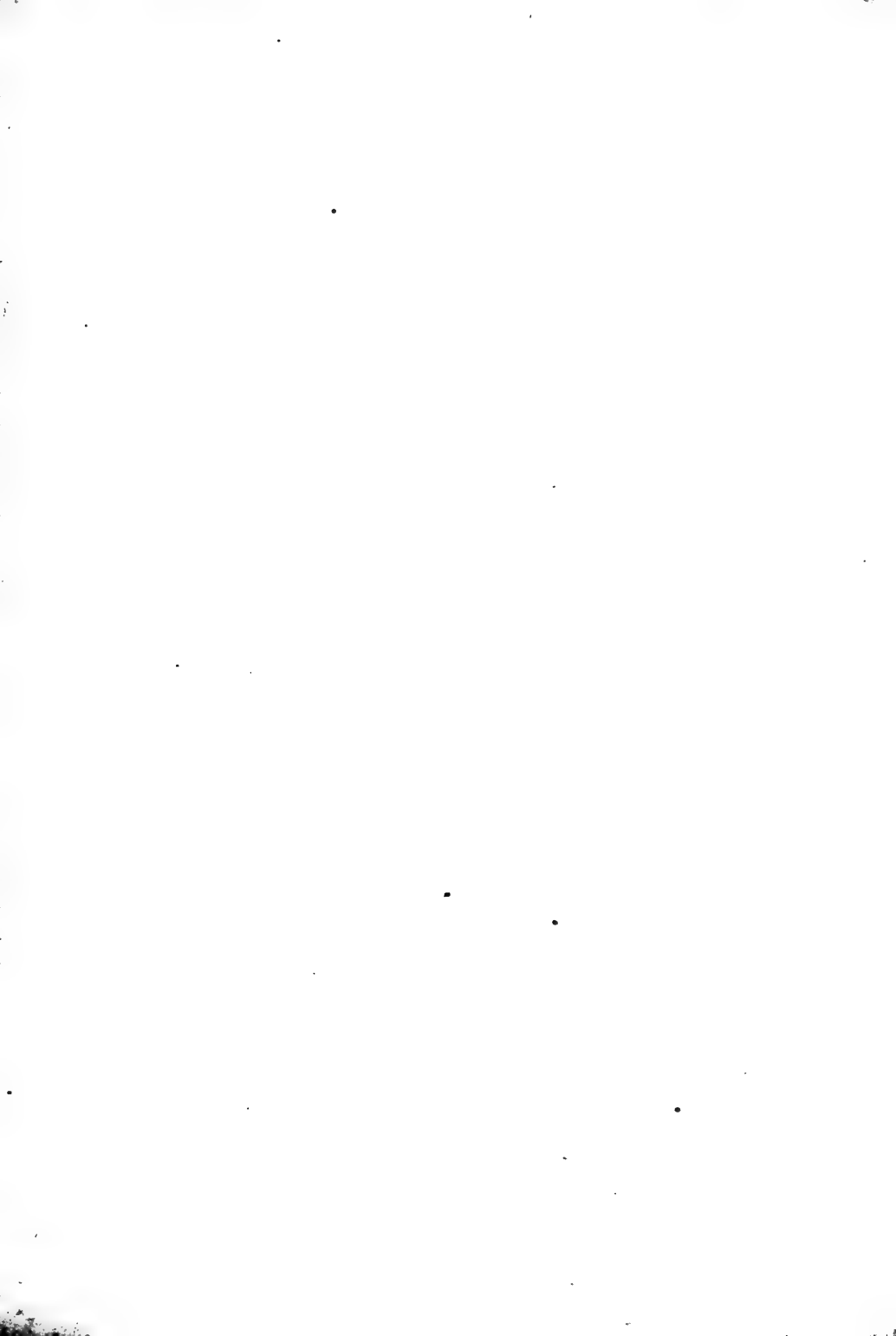
For an Act making appropriations for the Illinois State Reform School, at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

- 2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois State
- 3 Reform School, at Pontiac, for the purposes herein named, and for none other:
- 4 For ordinary expenses, the sum of forty-two thousand dollars per annum.
- 5 For repairs and improvements of the west wing of said Reform School, the sum of nine thousand
- 6 dollars.
- 7 For the erection of a new family building, the sum of thirty thousand dollars.
- 8 For a new boiler, two thousand five hundred dollars.
- 9 For a heater and purifier, one thousand dollars.
- 10 For three cisterns, five hundred dollars.
- 11 For stand-pipe and hose for protection against fires, three hundred and seventy-five dollars.
- 12 For fire-pump, pipe and connections, seven hundred dollars.
- 13 For the purchase of books for library, two hundred dollars per annum.
- 14 For painting wood-work inside of buildings, five hundred dollars.
- 15 For extraordinary and incidental expenses, one thousand dollars per annum.

§ 2. The moneys herein appropriated shall be paid to the institution in the manner and upon

2 the conditions now provided by law.



1. Introduced by Mr. Walker, January 31, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 27, 1883, passage recommended as amended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 135. RECOMMENDED BY COMMITTEE ON
APPROPRIATIONS.

1. Amend by striking out the words and figures, "one hundred and twelve thousand (\$112,000)"
- 2 in lines 18 and 19 (section 1) of written bill (being for the ordinary expenses), and insert in lieu
- 3 thereof the words and figures "one hundred and ten thousand (\$110,000)."
2. Amend by striking out the fourth item of written bill, being on page two of written bill
- 5 (being for railroad track)."
3. Amend by striking out, "for fire pumps, two thousand dollars (\$2,000)," being in lines
- 7 seventeen and eighteen, page two, of written bill, and insert in lieu thereof the following: "For
- 8 one fire pump, one thousand dollars (\$1,000).
4. Amend by striking out the last item of section one, on page two of written bill (being for
- 10 clock tower and clock).

A BILL

For An Act making appropriations for the ordinary expenses of the Illinois Central Hospital for the
Insane, at Jacksonville, and for general repairs and improvements thereon.

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- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
- 2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois Central
 - 3 Hospital for the Insane, at Jacksonville, for the purposes hereinafter named:

4 For defraying the ordinary expenses of the said hospital, from July 1, 1883, the sum of one
 5 hundred and twelve thousand dollars (\$112,000) per annum, payable quarterly in advance, until
 6 the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

7 For repairs and improvements, five thousand dollars (\$5,000) per annum.

8 For additional appropriation for end walls and improvements in connection with rebuilding
 9 the same, five thousand dollars (\$5,000).

10 For track from the Chicago & Alton Railroad to the hospital coal house, nine thousand
 11 dollars (\$9,000).

12 For improvement and care of grounds, one thousand dollars (\$1,000) per annum.

13 For renewing heating surfaces in two sections of the main building, two thousand dollars
 14 dollars (\$2,000) per annum.

15 For fire pumps, two thousand dollars (\$2,000).

16 For clock tower and clock, one thousand dollars (\$1,000).

§ 2. The moneys herein appropriated, shall be due and payable to the trustees or their order,
 3 only on the terms and in the manner now provided by law.

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1. Introduced by Mr. Walker, January 31, 1883, and ordered to first reading.
 2. First reading January 31, 1883, and referred to Committee on State Charitable Institutions.
 3. Reported back April 12, 1883, and referred to Committee on Appropriations.
 4. Reported back April 27, 1883, with amendments, passage recommended, and ordered to second reading.
 5. Second reading May 3, 1883, amended and ordered to third reading.
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A BILL

For An Act making appropriations for the ordinary expenses of the Illinois Central Hospital for the Insane, at Jacksonville, and for general repairs and improvements thereon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois Central
3 Hospital for the Insane, at Jacksonville, for the purposes hereinafter named:

4 For defraying the ordinary expenses of the said hospital, from July 1, 1883, the sum of one
5 hundred and ten thousand dollars (\$110,000) per annum, payable quarterly in advance, until
6 the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

7 For repairs and improvements, five thousand dollars (\$5,000) per annum.

8 For additional appropriation for end walls and improvements in connection with rebuilding
9 the same, five thousand dollars (\$5,000).

10 For improvement and care of grounds, one thousand dollars (\$1,000) per annum.

11 For renewing heating surfaces in two sections of the main building, two thousand dollars
12 dollars (\$2,000) per annum.

13 For one fire pump, one thousand dollars (\$1,000).

§ 2. The moneys herein appropriated, shall be due and payable to the trustees or their order

2 only on the terms and in the manner now provided by law.



1. Reported to House May 10, 1883.
2. First reading May 16, 1883, and referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act making appropriations for the ordinary expenses of the Illinois Central Hospital for the Insane, at Jacksonville, and for general repairs and improvements thereon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following amounts be and are hereby appropriated to the Illinois Central
3 Hospital for the Insane, at Jacksonville, for the purposes hereinafter named:

4 For defraying the ordinary expenses of the said hospital, from July 1, 1883, the sum of one
5 hundred and ten thousand dollars (\$110,000) per annum, payable quarterly in advance, until
6 the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

7 For repairs and improvements, five thousand dollars (\$5,000) per annum.

8 For additional appropriation for end walls and improvements in connection with rebuilding
9 the same, five thousand dollars (\$5,000).

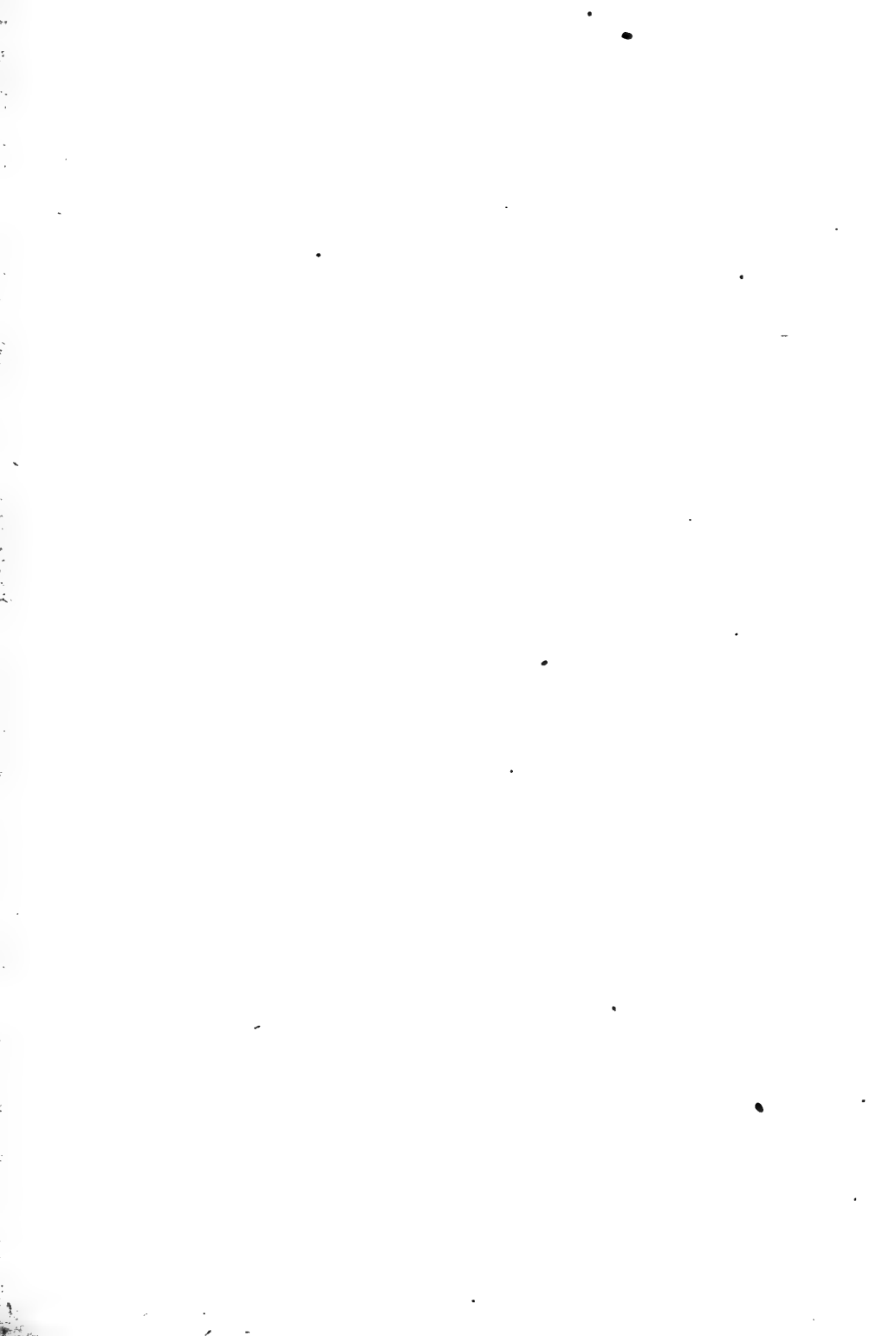
10 For improvement and care of grounds, one thousand dollars (\$1,000) per annum.

11 For renewing heating surfaces in two sections of the main building, two thousand dollars
12 (\$2,000) per annum.

13 For one fire pump, one thousand dollars (\$1,000).

§ 2. The moneys herein appropriated, shall be due and payable to the trustees or their order,

2 only on the terms and in the manner now provided by law.



1. Introduced by Mr. Gillham, January 31, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back March 1, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to revise the law in relation to and provide for the management and conduct of the penitentiaries of this State, and to consolidate the several boards of commissioners into one.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That the penitentiaries at Joliet, in Will county, and in
3 Chester, Randolph county, until otherwise provided by law, shall be the
4 general penitentiaries and prisons of this State, for the confinement and
5 reformation as well as for the punishment of all persons sentenced by any
6 court of competent jurisdiction in this State, for the commission of any
7 crime the punishment of which is confinement in the penitentiary, in which
8 the person so sentenced shall be securely confined, employed at hard labor,
9 and governed in the manner hereinafter directed.

§ 2. The officers of said penitentiaries shall consist of three commissioners,
2 said commissioners to be elected by the people upon the system provided by
3 the constitution (section seven 7 and eight 8) for the election of members of
4 the General Assembly, known as the cumulative system of voting, or minor-
5 ity representation, which election shall be held on the Tuesday after the
6 first Monday in November, in the year of our Lord one thousand eight [hundred]
7 and eighty-four (1884) and every four (4) years thereafter, and the returns of
8 such election for said penitentiary commissioners shall be canvassed at the same
9 time and manner as provided for canvassing the returns of elections of other

10 State officers, and they shall enter upon their duties as such penitentiary
 11 commissioners at the same time the other State officers enter upon the duties
 12 of their respective offices.

13 *Second*—Said commissioners shall appoint one warden, one deputy warden,
 14 one chaplain, one physician, one steward and one matron, and such number
 15 of turnkeys and watchmen as the warden and commissioners shall deem
 16 necessary for each of the two said penitentiaries, and shall remove said
 17 warden, deputy warden, chaplain, matron, turnkey or watchman at their
 18 discretion.

§ 3. No person shall be eligible to the office of penitentiary commis-
 2 sioner who is at the time a contractor in the penitentiary, nor shall such
 3 person become eligible to such office for a term of two years after the ex-
 4 piration of any contract with either of said penitentiaries, nor shall any
 5 agent or employee of any such contracts, or who is interested either directly
 6 or indirectly in any branch or kind of business in either of said peniten-
 7 tiaries, or who shall at the time hold any other office under the laws of this
 8 State; and no such commissioner shall hold any other office or accept any
 9 appointment under this or any other law of this State, during his contin-
 10 uance in office as such commissioner.

§ 4. Each of said commissioners shall take and subscribe to the oath or
 2 affirmation prescribed by section twenty-five (25), article V. of the constitu-
 3 tion of this State, and each of said commissioners shall enter into a bond to
 4 the people of the State of Illinois in the penal sum of \$50,000, with good and
 5 sufficient sureties, to be approved by the Governor and Auditor of Public
 6 Accounts, conditioned for the faithful performance of his duty as peniten-
 7 tiary commissioner; and the Governor and Auditor of Public Accounts, upon
 8 the discovery of any default or delinquency on the part of the said commission-
 9 ers, or either of them, or upon the application of any surety on said bond, shall
 10 have power, and it shall be their duty, at any time to require additional securi-
 11 ties, or a new bond of said commissioner, or either of them, and the State shall
 12 have a lien upon the real property of the principal or principals in said original
 13 or supplementary bonds from the time of the execution and approval of the

14 same; which bond or bonds and oath or affirmation shall be filed in the office
15 of the Secretary of State before such commissioner shall enter upon the duties
16 of such office.

§ 5. The warden for each of the said penitentiaries of this State, before entering upon the duties of their office, shall severally take and subscribe the oath or affirmation prescribed by section twenty-five (25), article five (5), of the constitution of this State, and they shall severally also enter into a bond to the people of the State of Illinois in the penal sum of \$50,000 each, with good and sufficient sureties, to be approved by the said commissioners, conditioned for the faithful performance of the several duties which now or may hereafter be required of them by law, or the order of the said commissioners; which said bond and oath, or affirmation, shall be deposited by said commissioners in the office of the Secretary of State.

§ 6. The wardens of the two several penitentiaries, by and with the advice and consent of the commissioners, or a majority of them, shall appoint a deputy warden, clerk and steward for each of said penitentiaries, who shall severally take and subscribe the oath of office prescribed by the constitution of the State, and give bond severally to the people of the State of Illinois in the penal sum of \$3,000, with good and sufficient sureties to be approved by the commissioners, conditioned for the faithful discharge of the duties of their respective offices, and they shall perform such duties as shall be required of them by said warden or which may be required of them by the rules, orders and regulations of said commissioners.

The assistant keepers, guards and employees shall at all times be subject to the orders of the warden in each of the said penitentiaries and shall perform such duties as he shall require of them and by and with the advice and consent of the commissioners. Said warden shall appoint such assistant matrons as may from [time] to time be necessary, not to exceed one for each forty female convicts in such penitentiaries including the matron, who shall at all times be subject to the order of such warden under the rules prescribed by the said commissioners; and no person shall be appointed in either of the aforesaid penitentiaries, warden or deputy warden, clerk or

20 steward, or to any other position or employment in either of the said peni-
21 tentiaries under this act, who is a contractor in either of said penitentiaries
22 or who is the agent or employee of such contractor, or who is interested
23 either directly or indirectly in any kind or branch of business carried on
24 in either of such penitentiaries, or who shall at any time hold any other
25 appointment or office under the laws of this State; and no such warden,
26 deputy warden, clerk or steward, or other employee in either of said peni-
27 tentiaries of this State, shall hold any other office or accept any other
28 appointment under this or any other law of this State during the con-
29 tinuance in such employment; and in case any such warden, deputy warden,
30 clerk or steward or other employee shall become so interested, either directly
31 or indirectly, at any time of his employment, or shall accept any other
32 office or employment under the laws of this State, in either of the said
33 penitentiaries of this State, he or she shall be at once removed by said
34 commissioners.

§ 7. The said commissioners shall devote their entire time to the manage-
2 ment, control and conduct of the two several penitentiaries of this State,
3 and shall meet jointly at each of the said penitentiaries for consultation and
4 supervision at least once each month. They shall establish rules and regu-
5 lations for and take entire supervision of the government, discipline and
6 police of either of said penitentiaries, the punishment of and the employ-
7 ment of the convicts therein confined, the money concerns and contracts
8 for work, and the purchase and sales of articles provided for such peniten-
9 tiaries or sold on account thereof, of each penitentiary, and shall keep a
10 separate account of each. They shall see that all rules and regulations for
11 the government of the two several penitentiaries that [they] may establish
12 shall be strictly enforced, and may from time to time alter and amend the
13 same as in their judgment they may deem best, and in making such rules
14 and regulations it shall be their duty to adopt such as in their judgment,
15 while being consistent with the discipline of such penitentiary, shall best
16 conduce to the reformation of the convicts, subject to the limitations and
17 provisions hereinafter contained. They shall inquire into any improper con-

duct which may be alleged to have been committed by the warden of either penitentiaries, or any other officer or employee of the same, and for that purpose may issue subpoenas and compel the attendance of witnesses, and the productions before them in writing and papers, and may examine any witness under oath who may appear before them.

§ 8. The said commissioners shall biennially report to the Governor, and by and through him to the General Assembly; and for this purpose shall require reports of the warden and other officers of the two several penitentiaries of this State, in relation to any and all matters pertaining to or connected with the government, operations, business, discipline and property of the two several penitentiaries, and with the condition, conduct and employment of the convicts confined therein. They shall also report the state and condition of the two several penitentiaries and convicts; of all moneys expended and received, and on what account expended and received; of all contracts entered into during the pending two years, for the employment of convicts or for furnishing supplies or for any other purpose, and the terms of such contracts, stating what portion of each contract has been performed and the several sums of money expended or received thereon. Said biennial report of the commissioners shall also include an abstract of all reports made to them by the officers of the two several penitentiaries during the two preceding years. (Cons. 1870, Art. 58-4.)

§ 9. The said commissioners shall keep regular minutes of all their meetings and proceedings at each of the said penitentiaries of this State, and shall cause the same, together with all orders, rules and regulations adopted by them, to be recorded in a book, which shall be kept for that purpose in each of the said penitentiaries.

§ 10. They shall prescribe the article of food and the quantities of each kind which shall be provided for said convicts, and shall determine the number of hours per day during which said convict shall be required to labor.

§ 11. The said commissioners shall cause a full and accurate inventory and appraisement of, all and singular, the machinery, fixtures, goods, chattels,

3 and property of every description belonging to the State, in and about either
 4 of the penitentiaries, severally, to be made under oath by two or more com-
 5 petent appraisers, to be appointed by the said commissioners for that purpose,
 6 said appraisers to reside in the immediate vicinity of said penitentiary, and
 7 immediately make an inventory of all the machinery, fixtures, goods, chattels,
 8 and property of every description of each of said penitentiaries, and at least
 9 once in each year thereafter, and shall cause a copy of such inventories and
 10 appraisements to be filed in the office of the Auditor of Public Accounts,
 11 and another copy thereof for each penitentiary to be appended to their bien-
 12 nial report to the Governor, to be submitted by him to the General Assem-
 13 bly.

§ 12. It shall be the duty of each of the wardens to reside in the peniten-
 2 tiary to which he is assigned, and [he] shall not absent himself except on
 3 leave granted by a commissioner, in which case his duties shall devolve on
 4 and be performed by the deputy warden during such absence, and in no
 5 case shall the warden and deputy warden of either penitentiaries of this
 6 State be absent from the penitentiary to which they are severally assigned
 7 at the same time.

§ 13. The warden of the two several penitentiaries shall exercise a general
 2 supervision over the government, discipline and police regulations of the
 3 penitentiary to which he is assigned, in accordance with the orders, rules
 4 and regulations established by the commissioners for the government of such
 5 penitentiary, and shall see that such orders, rules and regulations are duly
 6 enforced, and shall give the necessary directions to the officers and guards,
 7 and examine whether they have been careful and diligent in the discharge
 8 of their several duties. He shall examine daily into the state of the peni-
 9 tentiary of which he has charge, and into the health, condition and safe-
 10 keeping of the convicts, and shall inquire into the justice of any complaints
 11 made by any of the convicts relative to their provision, clothing or treat-
 12 ment; he shall make such general orders and rules for the government of
 13 the subordinate officers and employees of such penitentiary as he may deem
 14 best, subject to the approval of the commissioners; such rules and orders

15 shall be in writing, and shall be entered in a book to be kept by the warden
16 for that purpose at the penitentiary to which he is assigned, and shall be
17 subject to alterations, or amendment, by the said commissioners.

§ 14. It shall be the duty of each warden to keep a daily journal of the
2 proceedings of the penitentiary to which he is assigned, in which shall be
3 entered a note of every infraction of the rules and regulations of each
4 penitentiary by any officer or employee thereof which shall come to his
5 knowledge, or by any convict in said penitentiary, and of every punishment
6 inflicted on a convict, the nature and amount thereof and by whom inflicted,
7 and also a memorandum of every well founded complaint made by any
8 convict of bad or insufficient food, want of clothing, or cruel or unjust
9 treatment. Such journal shall be kept open at all times for the inspection
10 of the commissioners.

§ 15. Each warden shall make a monthly report to the commissioners of
2 the penitentiary to which he is assigned, stating the names of all convicts
3 received during the preceding month, the counties in which they are tried,
4 the crimes for which they were convicted, and the duration of their sen-
5 tence, their former trade, employment or occupation, their habits, color, age,
6 place of nativity, degree of instruction, and a description of their person,
7 and also stating in such report the name of all convicts pardoned or dis-
8 charged during the preceding month, and all other particulars in relation to
9 the persons as pardoned or discharged that are required to be stated in
10 relation to convicts received into the penitentiary, and shall also make such
11 other reports as shall be required of him by the commissioners.

§ 16. It shall be the duty of each warden, under the direction of the
2 commissioners, to attend to the fiscal concerns of the penitentiary to which
3 he is assigned, and the several wardens with the said commissioners jointly
4 shall use their best endeavors to defray the expenses of the several peni-
5 tentiaries by the labor of the convicts. The wardens in each penitentiary
6 shall superintend the labors of the convicts when employed in manufactur-
7 ing or other work on behalf of the State, and shall, under the direction of
8 said commissioners, contract for the employment of the labor of the convicts

9 and for furnishing the necessary supplies for their support and in purchas-
 10 ing such raw material as may be required for manufacture by convicts'
 11 labor, and in taking charge of the articles as manufactured and in selling
 12 and disposing of the same for the benefit of the State.

§ 17. The wardens of the several penitentiaries shall render to the said
 2 commissioners on the first day of each month a full and accurate account
 3 of all moneys received by him and of all sums expended by him during the
 4 preceding month, showing on what account received and expended, and
 5 shall accompany said account with proper vouchers for all such expendi-
 6 tures, which report shall be verified by the oath of said warden.

§ 18. The wardens of each penitentiary shall take charge of all money and
 2 other property which may be brought to such penitentiaries by the convicts,
 3 and cause the same, immediately upon the receipt thereof, to be entered
 4 among the receipts of the prison, which money and other property, whenever
 5 the convict from whom the same are received shall be discharged from such
 6 penitentiary, or the same shall be otherwise legally demanded, shall be re-
 7 turned by said warden to such convict or other person legally demanding
 8 the same. Each convict who shall be discharged from either penitentiary by
 9 pardon or otherwise, shall be supplied with a good suit of citizen's clothes, a
 10 new pair of boots or shoes, and also transportation to the place of conviction,
 11 or the equivalent thereof in money, and in addition thereto the sum of ten
 12 (\$10) dollars for other necessary expenses of such convict. The commissioners
 13 shall see that the same is complied with in all cases.

§ 19. The commissioners shall keep in each of the said penitentiaries a
 2 full and complete set of all official reports made to the Governor respecting
 3 the penitentiaries of the State, and a set of similar reports in relation to
 4 penitentiaries of other States as far as they shall be able to obtain the same,
 5 and for which purpose a suitable number of the reports of the said peniten-
 6 tiaries of this State, when printed, shall be supplied to them by the Secretary
 7 of State, to exchange with penitentiaries of other States.

§ 20. It shall be the duty of the chaplain of each of the penitentiaries of
 2 the State:

3 *First*—To perform religious service in such prison under such regulations
 4 as the commissioners may prescribe, and to attend to the spiritual wants of
 5 the convicts.

6 *Second*—To visit the convicts in their cells for the purpose of giving moral
 7 and religious instruction.

8 *Third*—To furnish at the expense of the State a bible to each convict.

9 *Fourth*—To take charge of the library and see that no improper books are
 10 placed in possession of the convicts, and if any such books are found either
 11 in the cells or in the possession of such convicts, to take away and deliver
 12 the same to the commissioners, and for the purpose of the proper discharge
 13 of their duties he shall visit weekly each cell in such penitentiary, and the
 14 books so taken away from the said convicts shall not be returned to them
 15 without the express order of the commissioners.

16 *Fifth*—To visit daily the sick in the hospital.

17 *Sixth*—To make an annual report to the commissioners, ending with the
 18 fiscal year of the said penitentiary, relative to the religious and moral con-
 19 duct of the convicts during each year, stating what services he has performed
 20 and the fruits of his instructions, together with any other facts relative to
 21 said convicts that he may deem proper to report. It shall be the duty of
 22 the chaplain, when required by the commissioners, to give instruction in the
 23 useful branches of our (an) English education to such convicts as in their judg-
 24 ment may require the same and be benefited thereby, and be entitled
 25 thereto by previous good conduct, and such instruction may be given for
 26 such length of time daily as the commissioners shall prescribe (Sundays
 27 excepted [excepted]) between the hours of 6 and 9 o'clock p. m.

§ 21. The chaplain of each of the said penitentiaries shall make a quar-
 2 terly report to the commissioners in case such instructions shall be given,
 3 stating the number of convicts instructed during the quarter, the branches
 4 taught, the text books used, the progress by the convicts.

§ 22. It shall be the [duty of said commissioners to advertise for sealed
 2 bids or proposals for the hire of the labor of the convicts in the several
 3 penitentiaries of this State, in such numbers and for such periods as they

4 may deem advisable, not exceeding eight years. Such advertisement to be
 5 published at least thirty (30) days in one daily paper published in the city
 6 of Chicago, one daily paper published in the city of Cairo, one daily paper
 7 published in the city of St. Louis, and one daily paper published in the city
 8 of Springfield, specifying the number of convicts to be employed at the
 9 expiration of said time of thirty days. Said commissioners may open said
 10 bids, and enter into contract for working the convicts upon such branches of
 11 business as in their judgment will best subserve the interest of the State,
 12 and to promote the welfare of the convicts. All contracts for the labor of
 13 convicts shall be given to the highest bidder, if the price bid be a fair and
 14 reasonable compensation for such labor. Each bid shall be accompanied by
 15 a bond with good and sufficient sureties, in such sum as the commissioners
 16 shall determine, conditioned that in case the bid is accepted by the commis-
 17 sioners, the person making the same will execute a bond with good sureties
 18 as aforesaid, conditioned for the faithful performance of such contract on
 19 their part, and no bid or proposals shall be received unless such bond shall
 20 accompany the same.

§ 23. If the bids should be less than a fair and reasonable compensation
 2 for the labor thus bid for, the commissioners may at their discretion decline
 3 to contract at the rates offered, and shall immediately thereafter proceed
 4 again to advertise the letting of contracts until the same shall be success-
 5 ful; and in the meantime all convict labor that is not contracted according
 6 to the provisions of this section, shall be hired or otherwise employed by
 7 the commissioners and wardens in such manner as they shall think most
 8 conducive to the interest of the State, but such employment be regarded
 9 as temporary, to terminate at any public letting: *Provided*, the commissioners
 10 shall not be required to advertise or hire out the labor of such convicts as
 11 may be employed in labor for the State.

§ 24. The said commissioners are hereby authorized to employ the labor
 2 of any convicts not so hired out in completing or repairing the buildings or
 3 walls, or in grading or improving the grounds of either of the penitentiaries
 4 of this State, according to the plans and specifications heretofore adopted

5 for each prison, and said commissioners are further authorized at any time
 6 hereafter to employ the labor of any of said convicts which for the time
 7 being shall not be hired out, upon any other public works or buildings
 8 which the State may hereafter have in process of construction, so far as
 9 such work can be advantageously performed at such penitentiaries.

§ 25. The said commissioners are hereby authorized to contract for pro-
 2 visions, clothing, medicine, forage, fuel and other supplies for each of the
 3 penitentiaries of this State, for any period of time not exceeding one year,
 4 and all such contracts shall be given to the lowest bidder at a public let-
 5 ting thereof, if the prices bid be fair and reasonable and not greater than
 6 the usual market value and price. Each bid shall be accompanied by a
 7 bond in such penal sum as said commissioners shall determine, with good
 8 and sufficient sureties conditioned for the faithful performance of such con-
 9 tract. Notice of the time and place and the conditions of the letting of
 10 each contract shall be given for at least four consecutive weeks, in such
 11 manner as the commissioners may deem expedient. If all the bids made at
 12 such letting are deemed unreasonably high by the commissioners, they may
 13 in their discretion decline to contract and may again advertise for proposals,
 14 and may so continue to renew the advertisement until satisfactory contract
 15 may be made, and in the meantime the commissioners may contract with
 16 any person whose offer may be regarded as just and proper, but no contract
 17 thus made shall be let to run more than sixty (60) days, or in any case
 18 extend beyond the public letting. No bids shall be accepted and a contract
 19 entered into in pursuance thereof where such bid is higher than any other
 20 bid made at the same letting for the same article; and where a contract can
 21 be made at such lower bid when two or more of the lowest bids for the
 22 same article are equal in amount, the commissioners may select the one
 23 which may by them be deemed for the best interests of the State, or may
 24 divide the contract between the bidders, as in their discretion may seem
 25 proper and right: *Provided*, no contract shall be given or purchase made in
 26 which either of the commissioners or any other officer or employee of either
 27 of the penitentiaries of this State are interested, either directly or indirectly,

28 and all contracts or purchases made in violation of this provision shall be
29 void.

§ 26. It shall be the duty of the commissioners, whenever they shall deem
2 it expedient, to so make contracts for letting the labor of convicts as to
3 permit each convict who performs his task in a cheerful and workmanlike
4 manner to have a certain amount of labor allotted to him each day for a
5 day's work, and the time gained after the performance of such task may be
6 occupied in labor for contractors, the labor to be at the same rate the
7 contractors pay the State for the same work, or at such rate not less than
8 that which may be agreed upon between such contractors and such convicts,
9 and if any convicts who shall have performed overwork shall for any cause
10 be unable to perform full work on any other day or days, no deduction shall
11 be made from his overwork earnings on that account. It shall be the duty
12 of the officers in immediate charge of the convicts to take daily account of
13 the overwork earnings as made, and return the same to the clerk at the
14 end of each month. The money so earned shall be paid to the said com-
15 missioners, and shall be collected the same as money due the State from the
16 contractors, and an accurate and ———account of all such moneys, by whom
17 earned, time when, amount, and to whom payable, shall be kept under the
18 directions of the commissioners, in a book provided for that purpose, and
19 they shall cause the same to be entered monthly in a pass book, which the
20 convict may keep for that purpose.

§ 27. It shall be the duty of all contractors, at the close of each month,
2 to pay to the commissioners the aggregate amount then in his hands belong-
3 ing to the several convicts for overwork. The commissioners shall receive
4 and give a separate receipt for said money; the commissioners shall open
5 and keep an account with the fund, denominated "The convicts' overwork
6 fund," and each convict, at the close of his term of confinement, may draw
7 from the commissioners his portion of such fund. Such convict may at any
8 time, with the approbation of the wardens of either penitentiary in this State,
9 draw from the commissioners the amount due him from the said fund, or
10 any part thereof, for the purchase of books or magazines for the use of said

11 convict, which said books or magazines shall be purchased for him by or
 12 under the direction of the said wardens, at the lowest cash price at which
 13 they may be obtained of the publishers, shall be charged for such pur-
 14 chase, but no cost shall accrue to the State for postage or other expenses
 15 which may arise under this section. The convict may also, by order of the
 16 commissioners at any time, have money due him as aforesaid transmitted to
 17 his family or friends for their use, or to be invested for him, but for any
 18 other use the convict is prohibited from drawing money from said fund
 19 until his discharge.

§ 28. Facilities for attending religious services regularly on Sunday shall
 2 be afforded each convict, so far as the same can be done judiciously, and
 3 upon no pretext shall a convict on contract be required to labor on Sunday,
 4 nor shall any convict be required to do other than necessary labor for the
 5 State on that day.

§ 29. It shall be the duty of the physicians in each of the penitentiaries
 2 of this State, who are employed by the said commissioners as physicians to
 3 the penitentiaries:

4 *First*—To attend at all times to the wants of the sick convicts whether in
 5 the hospital or in the cells, and to bestow upon them all necessary medical
 6 service.

7 *Second*—To examine weekly the cells of the convicts for the purpose of
 8 ascertaining whether they are kept in a proper state of cleanliness and ven-
 9 tilation, and report the same to the warden.

10 *Third*—To examine at least once in each week, and oftener if he thinks
 11 proper, into the quality and condition of the provisions provided for the
 12 convicts, and whenever he shall have reason to believe that any of such
 13 provisions are prejudicial to the health of the convicts, he shall immediately
 14 make report thereof to the warden.

15 *Fourth*—To keep a daily record of all admissions to the hospital, and of
 16 cases treated in the cells or elsewhere, indicating the sex, color, nativity,
 17 age, occupation, habits of life, crime, period of entrance and discharge from
 18 the hospital, disease, and the prescription and treatment in each case.

19 *Fifth*—To make report monthly to the commissioners of patients received
 20 into the hospital, or treated in the cells or elsewhere during the month,
 21 stating their respective ages, color, disease, occupation in prison, quantity and
 22 kind of medicine administered during the month, the time they shall have
 23 remained in the hospital, date of commencement and termination of treat-
 24 ment, number of deaths (stating the cause of such deaths), and the number
 25 of days during which such patient in consequence of sickness shall have
 26 been relieved from labor.

27 *Sixth*—To make a yearly report to the commissioners of the sanitary con-
 28 dition of the penitentiary to which he is assigned for the past year, in
 29 which all the information contained in his daily record and his monthly
 30 reports shall be condensed.

§ 30. It shall be the duty of said physician, in case of any convict claim-
 2 ing to be unable to labor by reason of sickness, to examine such convict,
 3 and if it is his opinion upon such examination that such convict is unable
 4 to labor, he shall certify the same to the warden, and such convict shall
 5 thereupon be relieved from labor and be admitted to the hospital or placed
 6 in his cell or elsewhere for medical treatment, as said physician shall
 7 direct, having due regard for the safe keeping of such convict, and such
 8 convict shall not be required to labor so long as in the opinion of said
 9 physician such disability shall continue, and whenever said physician shall
 10 certify to the warden that such convict is sufficiently recovered to be able
 11 to labor, said convict shall be required to labor, but not before.

§ 31. The annual salaries of officers of the several penitentiaries of the
 2 State shall be as follows:

3 That of three commissioners, each \$3,500.

4 That of the wardens, each \$2,500.

5 That of the deputy wardens, each \$1,500.

6 That of the two chaplains, each \$1,500.

7 That of two physicians, each \$1,500.

8 All other officers or employees of either of the penitentiaries of this State
 9 shall be paid such compensation as the commissioners may direct.

§ 32. The commissioners shall be the custodians of all funds belonging to the two several penitentiaries of this State, whether arising from the orders of the labor of the convicts, the sale of manufactured articles, or appropriations made by the General Assembly, or otherwise.

§ 33. The Auditor of Public Accounts shall from time to time draw his warrants on the Treasurer in favor of said commissioners, for such portions of any appropriations made by the General Assembly for the purpose of carrying on and maintaining the several penitentiaries of this State, as shall from time to time become necessary for said commissioners to expend in carrying on and maintaining said penitentiaries; but said commissioners shall not obtain said Auditor's warrants on account of any appropriations faster than the same is actually required for the purposes aforesaid. Such warrants of the Auditor shall be paid by the Treasurer to said commissioners on their order, out of any funds in the treasury applicable thereto. Said commissioners shall make to the Auditor on the first day of each month, a detailed statement of all moneys received and expended by them during the preceding month, in account with each of the penitentiaries separately, and accompany such statement with proper vouchers for all such expenditures, and duplicates of such vouchers shall be retained by said commissioners at each of the said penitentiaries.

§ 34. It shall not be lawful in either of the penitentiaries of this State, to use any cruel or unusual mode of punishment, or to punish any convict by whipping in any case whatever.

§ 35. Whenever several convicts combined, or any single convict, shall offer violence to any officer or guard of the penitentiaries, or to any other convict, or do, or attempt to do, any injury to any building or workshop, or appurtenances thereof, or shall attempt to escape, or shall disobey or resist any lawful command, the officers of such penitentiary and guards shall use all suitable means to defend themselves, to enforce the observance of discipline, to secure the persons of the offenders, and to prevent such attempted violence or escape; and [if] said officers or guards, employees in said penitentiaries, or any them, shall, in the attempt to prevent the escape of any convict, or in

10 attempting to retake any convict who has escaped, or in attempting to pre-
 11 vent or suppress a riot, revolt, mutiny or insurrection, take the life of a con-
 12 vict or convicts, such officers or guard shall not be held responsible there-
 13 for unless the same was done unnecessarily or wantonly.

§ 36. The several courts of Will county and several courts of Randolph
 2 county having criminal jurisdiction shall take cognizance of all crimes com-
 3 mitted within such penitentiary so located within such county by the con-
 4 victs therein confined, and said courts shall try and punish all such convicts
 5 charged with such crimes, in such manner and subject to the same rules and
 6 limitations as are now established by law in relation to other persons
 7 charged with crimes in such county, but in case of conviction the sentence
 8 of said convict shall not commence to run until the expiration of the sen-
 9 tence under which he is then held in confinement in said penitentiary:
 10 *Provided*, that in case such convict shall be sentenced to punishment by
 11 death, such sentence shall be executed at such time as the court shall fix
 12 without regard to the sentence under which such convict may be held in
 13 such penitentiary.

§ 37. It shall be the duty of the commissioners to report to the Governor
 2 (to be communicated by him to the General Assembly from time to time)
 3 such amendments to this act as in their judgment shall be necessary in
 4 order to secure the best, most economical and safest administration of the
 5 affairs of the penitentiaries of this State.

§ 38. It shall be the duty of the commissioners to have the chaplains
 2 read to the convicts once each month the rules and regulations of each
 3 penitentiary so far as the same relates to such convicts, and to make such
 4 explanations of the same as he shall deem proper.

§ 39. If any case of insanity shall [occur] in either of said penitentiaries
 2 such insane person shall at once be removed to the insane hospital nearest
 3 the penitentiary where such person is confined, or in case there be not room
 4 for such insane convict in such nearest hospital, then in the next nearest
 5 hospital for the insane of this State. Such insane convict shall be received
 6 and treated at any such hospital under the contract [control] of the State at the

7 expense of the State, and should such patient's reason [return] before his or
 8 her time of imprisonment shall expire, he or she shall be returned to the
 9 penitentiary from which they were taken on account of such insanity, and
 10 it is hereby made the duty of the superintendent of such hospital for the
 11 insane to receive into such hospital to [and] treat all such insane convicts as
 12 in other cases of insanity.

§ 40. The commissioners and the wardens of either of the penitentiaries
 2 of the State are hereby forbidden to contract any debt on behalf of the
 3 State beyond the amount of the appropriation made by the General Assem-
 4 bly, and if the said commissioners, or either of them, or either of the said
 5 wardens, shall contract any debt on behalf of the State beyond such appro-
 6 priation, such contract shall be void, and said commissioners and their sure-
 7 ties, or the said wardens and their sureties, shall be held liable to pay such
 8 debts.

§ 41. To the end that the several penitentiaries of this State shall become
 2 as near self sustaining as possible, it shall hereafter be lawful to employ
 3 the labor of the convicts of either of the penitentiaries of this State, either
 4 within or without the walls of such penitentiaries, on any branch of man-
 5 ufactures, or the construction of public works or public building, on the
 6 preparation or manufacture of materials for such public works or public
 7 buildings, or for any other purpose whereby the interest of the State in the
 8 maintenance of said penitentiaries shall be best subserved: *Provided*, that
 9 neither the safe keeping nor the health of said convicts shall be uselessly
 10 imperiled thereby.

§ 42. Every convict who is now or who may hereafter be confined in the
 2 penitentiaries of Illinois, who shall have made no infraction of the rules or
 3 regulations of the penitentiary wherein he is confined, or the laws of the
 4 State, recorded against him or her, and who performs in a faithful manner
 5 the duties assigned them in an orderly and peaceable manner, shall be
 6 entitled to the diminution of the time from his sentence as appears in the
 7 following table, for the respective years of his or her sentence, and *pro rata*
 8 for any part of a year where the sentence is for more or less than [one] year:

	No. of years of sentence.	Good time granted.	Total good time.	Time to be served if full time is made.
9	1st year.....	1 month.....	1 month.....	11 months.
10	2d ".....	2 months.....	3 months.....	1 year, 9 months.
11	3d ".....	3 ".....	6 ".....	2 years, 6 months.
12	4th ".....	4 ".....	10 ".....	3 " 2 "
13	5th ".....	5 ".....	1 year 3 months.....	4 " 3 "
14	6th ".....	6 ".....	1 " 2 ".....	4 " 9 "
15	7th ".....	6 ".....	2 " 3 ".....	5 " 3 "
16	8th ".....	6 ".....	2 " 9 ".....	5 " 9 "
17	9th ".....	3 ".....	3 " 3 ".....	3 " 3 "
18	10th ".....	6 ".....	3 " 9 ".....	6 " 9 "
19	11th ".....	6 ".....	4 " 3 ".....	7 " 3 "
20	12th ".....	6 ".....	4 years, 9 months.....	7 " 3 "
21	13th ".....	6 ".....	5 " 3 ".....	7 " 9 "
22	14th ".....	6 ".....	5 " 9 ".....	8 " 3 "
23	15th ".....	6 ".....	6 " 3 ".....	8 " 9 "
24	16th ".....	6 ".....	6 " 9 ".....	9 " 3 "
25	17th ".....	6 ".....	7 " 3 ".....	9 " 9 "
26	18th ".....	6 ".....	7 " 9 ".....	10 " 3 "
27	19th ".....	6 ".....	8 " 3 ".....	10 " 9 "
28	20th ".....	6 ".....	8 " 9 ".....	11 " 3 "
29	21st ".....	6 ".....	9 " 3 ".....	11 " 9 "
30	22d ".....	6 ".....	9 " 9 ".....	12 " 3 "
31	23d ".....	6 ".....	10 " 3 ".....	12 " 9 "
32	24th ".....	6 ".....	10 " 9 ".....	13 " 3 "
33	25th ".....	6 ".....	11 " 3 ".....	13 " 9 "

§ 43. In case any convict shall be guilty of the violation of any of the
2 rules or laws of the penitentiary in which he or she is confined, or laws of
3 the State as above provided, and has become entitled to any diminution of
4 his or her sentence by the provisions aforesaid, he or she shall for the first
5 offense forfeit, if he or she has made as much, two days, for the second

6 offense four days, for the third offense eight days, for the fourth offense
 7 sixteen days, and in addition thereto whatever number of days more than
 8 one that he is in punishment, shall also be forfeited; for more than four
 9 offenses, the warden shall have power to deprive him or her at his discretion
 10 of any portion or all of the good time that the convict may have earned,
 11 but not less than as provided for the fourth offense.

§ 44. Whenever any convict is or has been committed under several con-
 2 victions with separate sentences, they shall be construed as one continuous
 3 sentence under this law in the granting or forfeiting of good time.

§ 45. The warden of the several penitentiaries of this State, in computing
 2 the diminution of time for those convicts now in the penitentiaries, shall
 3 allow them for the "good time granted," but not the "good time made" for
 4 the year or part of a year of their unexpired sentence, the same as if this
 5 law had been in effect at the commencement of their sentence.

§ 46. The Governor shall have the right to grant any convict that has
 2 been, now is or hereafter may be confined in either of the penitentiaries of
 3 this State, whom he shall deem a proper person to enjoy such privilege, a
 4 certificate of restoration to all his rights of citizenship, as provided by law,
 5 although such convict may have been guilty of an infraction of the rules
 6 and regulations of such prison. The warden of each penitentiary and the
 7 commissioners shall, upon the request of the Governor in cases of application
 8 for such restoration, furnish him a statement of the convict's deportment
 9 during his or her imprisonment, and they may at all times make such
 10 recommendations to the Governor as they may deem proper, respecting the
 11 restoration to citizenship of any convict.

§ 47. Clergymen of all denominations shall be admitted freely and with-
 2 out restraint to visit at pleasure any inmate confined in either penitentiary
 3 at Joliet or Chester, or in any other prison, reformatory or charitable insti-
 4 tution belonging to the State of Illinois, subject to such rules and regula-
 5 tions as may be established by the officers in charge of said institutions:
 6 *Provided, however,* that the clergyman so applying shall produce to the
 7 officers in charge of such institution visited as aforesaid, satisfactory evi-

8 dence from the church authorities to which he belongs that he is a clergy-
9 man in good standing.

§ 48. It shall be the duty of wardens, superintendents or other officers in
2 charge of any institution mentioned in section forty-seven (47) of this act,
3 to permit the ministration of religion according to the rights and ceremonies
4 of the church to which the visiting clergyman belongs, and to aid and assist
5 such of the inmates as aforesaid who may desire it to the comforts of
6 religion at the hands of a clergyman of his or her own selection.

§ 49. Such wardens, superintendents or other officers mentioned in the
2 forty-eighth (48) section of this act who shall refuse or neglect or fail to
3 comply with the provisions herein, shall be liable to dismissal from his or
4 her said office by the person or persons by whom he shall have been
5 appointed.

§ 50. It shall be the duty of the Governor to visit each of the peniten-
2 tiaries of this State at least semi-annually, and oftener at his discretion.
3 He shall semi-annually inquire into the financial management and condition
4 of the said prisons, the health and treatment of the convicts, and generally
5 to consult and advise with the commissioners as to the conduct of the said
6 prisons, and he shall have power at any time, if he should deem it for the
7 best interests of the State, to demand an immediate statement of the finan-
8 cial affairs of such prison or prisons, and may require the affidavit of the
9 commissioners as to the truthfulness of such statement.

§ 51. The board of penitentiary commissioners hereinbefore provided for
2 shall constitute and are hereby declared to be a board of employment for
3 the ex-convicts of the penitentiaries of this State, and it is hereby made
4 their duty as such board of employment, when they shall enter upon their
5 duties as such penitentiary commissioners, without delay and in connection
6 with the wardens, to establish a proper system for aiding and procuring
7 employment for such discharged convicts as shall apply for it, by properly
8 notifying the mechanical, manufacturing and productive interests through-
9 out the State of the organization of such board of employment, its object
10 and purposes, and shall use their best endeavors to obtain from such

11 sources co-operation and assistance in procuring and supplying employment
12 to such discharged convicts, and there shall be applicable, for the purpose of
13 carrying the sections in to force, the sum of (\$500) five hundred dollars
14 annually out of any moneys belonging to such prison applicable thereto.

§ 52 The several penitentiaries of this State shall continue to be opera-
2 ted, managed and controlled under the laws now in force for such purpose
3 until the commissioners provided for by this act shall be elected and quali-
4 fied. At such time all laws or acts, or parts of acts, inconsistent with this
5 act, shall then and there be repealed.



1. Introduced by Mr. Shumway, January 31, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on County and Township Organization.
3. Reported back February 18, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section ninety-two (92) of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly.* That section ninety-two (92) of an act entitled "An act
3 to revise the law in relation to township organization," be amended so as to
4 read as follows:

5 "Section 92. (Term of office.) Town officers, except supervisors of towns
6 and also, except as otherwise provided, shall hold their offices for one year,
7 and until others are elected or appointed in their places and are qualified.

8 Supervisors of towns elected at the annual town meeting in 1885, and all
9 subsequent years, in all counties where they have a board of supervisors,
10 shall hold their term of office for two years, and until others are elected or
11 appointed in their places and are qualified.

12 Supervisors elected in 1884 shall, at the first meeting of the board of
13 supervisors, draw lots for terms of one and two years, in such manner that
14 one-half of their number, as near as may be, shall have terms of one year, and
15 the remaining members of the board shall have terms of two years, and
16 such supervisors shall hold their respective offices for the term so drawn
17 and allotted them, and until others are elected or appointed in their places
18 and are qualified.

19 The result of such drawing and allotment shall be spread upon the
 20 records of the respective boards of supervisors, and a certified copy thereof
 21 delivered to each town clerk in the county, to be filed among the records
 22 of his office.

23 *Provided*, that nothing contained in this act shall apply to assistant
 24 supervisors. So much of section sixty-one (61) of an act entitled "An act to
 25 revise the law in relation to township organization," as may conflict with
 26 this act, is hereby repealed."

AMENDMENTS TO SENATE BILL NO. 137, RECOMMENDED BY THE
 COMMITTEE ON COUNTY AND TOWNSHIP ORGANIZATION.

1. Amend the title by striking out the original title and inserting in lieu
 2 thereof, the following:

A BILL

For An Act to amend section nine (9) of article nine (9) of an act entitled "An
 act to revise the law in relation to township organization," approved
 and in force March 4, 1874.

2. Amend section one (1) by striking out the original section and insert-
 2 ing in lieu thereof, the following:

3 Section 1. *Be it enacted by the People of the State of Illinois, represented in the*
 4 *General Assembly*, That section nine (9) of article nine (9) of an act entitled
 5 "An act to revise the law in relation to township organization," approved
 6 and in force March 4, 1874, be and the same is hereby amended to read as
 7 follows:

8 3. Amend line seven of written bill by striking out the words and figures,
 9 "section 92 [term of office]," and insert in lieu thereof, "section 9."

10 4. Amend section 9 by striking out of lines 10 and 11 the words, "when
 11 they have a board of supervisors," and insert in lieu thereof, the words,
 12 "under township organization."

13 5. Amend by striking out the last seven lines of written bill and insert
14 in lieu thereof, "all acts or parts of acts in conflict with this act are hereby
15 repealed."

1. Introduced by Mr. Shumway, January 31, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on County and Township Organization.
3. Reported back February 16, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 6, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section nine (9), of article nine (9), of an act entitled "An Act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That section nine (9), of article nine (9) of an act entitled "An
3 Act to revise the law in relation to township organization," approved, and in
4 force March 4, 1874, be, and the same is hereby amended to read as follows :
5 "Section 9. Town officers, except supervisors of towns, and also, except as
6 otherwise provided, shall hold their offices for one year, and until others are
7 elected or appointed in their places and are qualified. Supervisors of towns
8 elected at the annual town meeting in 1885, and all subsequent years, in all
9 counties under township organization, shall hold their term of office for two
10 years, and until others are elected or appointed in their places and are
11 qualified. Supervisors elected in 1884, shall, at the first meeting of the board
12 of supervisors, draw lots for terms of one and two years, in such manner
13 that one half of their number, as near as may be, shall have terms of one
14 year, and the remaining members of the board shall have terms of two
15 years, and such supervisors shall hold their respective offices for the
16 term so drawn and allotted them, and until others are elected or appointed
17 in their places and are qualified. The result of such drawing and allotment

18 shall be spread upon the records of the respective boards of supervisors, and
19 a certified copy thereof delivered to each town clerk in the county, to be
20 filed among the records of his office. All acts or parts of acts in conflict
21 with this act are hereby repealed."

1. Reported to House, March 30, 1883.
2. First reading April 7, 1883, and referred to Committee on County and Town Organization.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 3, 1883.

A BILL

For An Act to amend section nine (9), of article nine (9) of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly :* That section nine (9), of article nine (9) of an act entitled "An act to revise the law in relation to township organization," approved and in force March 4, 1874, be, and the same is hereby amended, to read as follows:

"Section 9. Town officers, except supervisors of towns, and also except as otherwise provided, shall hold their offices for one year, and until others are elected or appointed in their places, and are qualified. Supervisors of towns, elected at the annual town meeting in 1885, and all subsequent years, in all counties under township organization, shall hold their term of office for two years, and until others are elected or appointed in their places and are qualified. Supervisors elected in 1884, shall, at the first meeting of the board of supervisors, draw lots for terms of one and two years, in such manner that one-half of their number, as near as may be, shall have terms of one year, and the remaining members of the board shall have terms of two years, and such supervisors shall hold their respective offices for the term so drawn and allotted them, and until others are elected or appointed in their places and are qualified. The result of such drawing and allotment shall be spread upon

19 the records of the respective boards of supervisors, and a certified copy
20 thereof delivered to each town clerk in the county, to be filed among the
21 records of his office. All acts or parts of acts in conflict with this act are
22 hereby repealed."

1. Introduced by Mr. Needles, January 31, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on Revenue.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two hundred and fifty-three (253) of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

- 2 *General Assembly*, That section two hundred and fifty-three (253) of an act
3 entitled "An act for the assessment of property and for the levy and collec-
4 tion of taxes," approved March 30, 1872, in force July 1, 1872, be and the
5 same is hereby amended so as to read as follows:
- 6 "Section 253. The taxes upon real property, together with all penalties,
7 interests and costs that may accrue thereon, shall be a prior and first lien
8 on such real property, superior to all other liens and incumbrances, from and
9 including the first day of May in the year in which the taxes are levied
10 until the same are paid; which lien may be foreclosed in equity in any
11 court of competent jurisdiction, in the name of the People of the State of
12 Illinois, whenever the same description of property shall have been forfeited
13 to the State for two or more years for non-payment of taxes; and such
14 property may be sold under the order of the court, by the county collector,
15 with the same notice to interested parties, and right of redemption from
16 said sale, as is now provided by law and in conformity with sections four
17 (4) and five (5) of article IX of the constitution of this State. In proceedings
18 to foreclose the tax lien on any real property, the last preceding judgment

19 rendered by the county court for delinquent taxes against said property
20 shall be *prima facie* evidence of the amount of taxes against said real
21 property. When any taxes are collected in any such foreclosure proceedings,
22 they shall be paid to the county collector, to be distributed by him to the
23 respective authorities entitled thereto."

1. Introduced by Mr. Needles, January 31, 1883, and ordered to first reading.
2. First reading January 31, 1883, and referred to Committee on Revenue.
3. Reported back February 15, 1883, passage recommended, and ordered to second reading.
4. Second reading March 2, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend section two hundred and fifty-three (253) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section two hundred and fifty-three (253) of an act
3 entitled "An act for the assessment of property, and for the levy and col-
4 lection of taxes," approved March 30, 1872, in force July 1, 1872, be and the
5 same is hereby amended so as to read as follows:
6 "Section 253. The taxes upon real property, together with all penalties,
7 interests and costs that may accrue thereon, shall be a prior and first lien
8 on such real property, superior to all other liens, and incumbrances, from
9 and including the first day of May, in the year in which the taxes are
10 levied, until the same are paid; which lien may be foreclosed in equity in
11 any court of competent jurisdiction, in the name of the People of the State
12 of Illinois, whenever the same description of property shall have been for-
13 feited to the State for two or more years, for non-payment of taxes; and
14 such property may be sold under the order of the court, by the county col-
15 lector, with the same notice to interested parties, and right of redemption
16 from said sale, as is now provided by law, and in conformity with sections
17 four (4) and five (5) of article IX, of the constitution of this State; at which

18 sale the State, or any municipality thereof, may purchase upon the same
19 terms and restrictions as individuals. In proceeding to foreclose the tax
20 lien on any real property, the last preceding judgment rendered by the
21 county court for delinquent taxes against said property, shall be *prima facie*
22 evidence of the amount of taxes against said real property. When any
23 taxes are collected in any such foreclosure proceedings, they shall be paid
24 to the county collector, to be distributed by him to the respective authori-
25 ties entitled thereto."

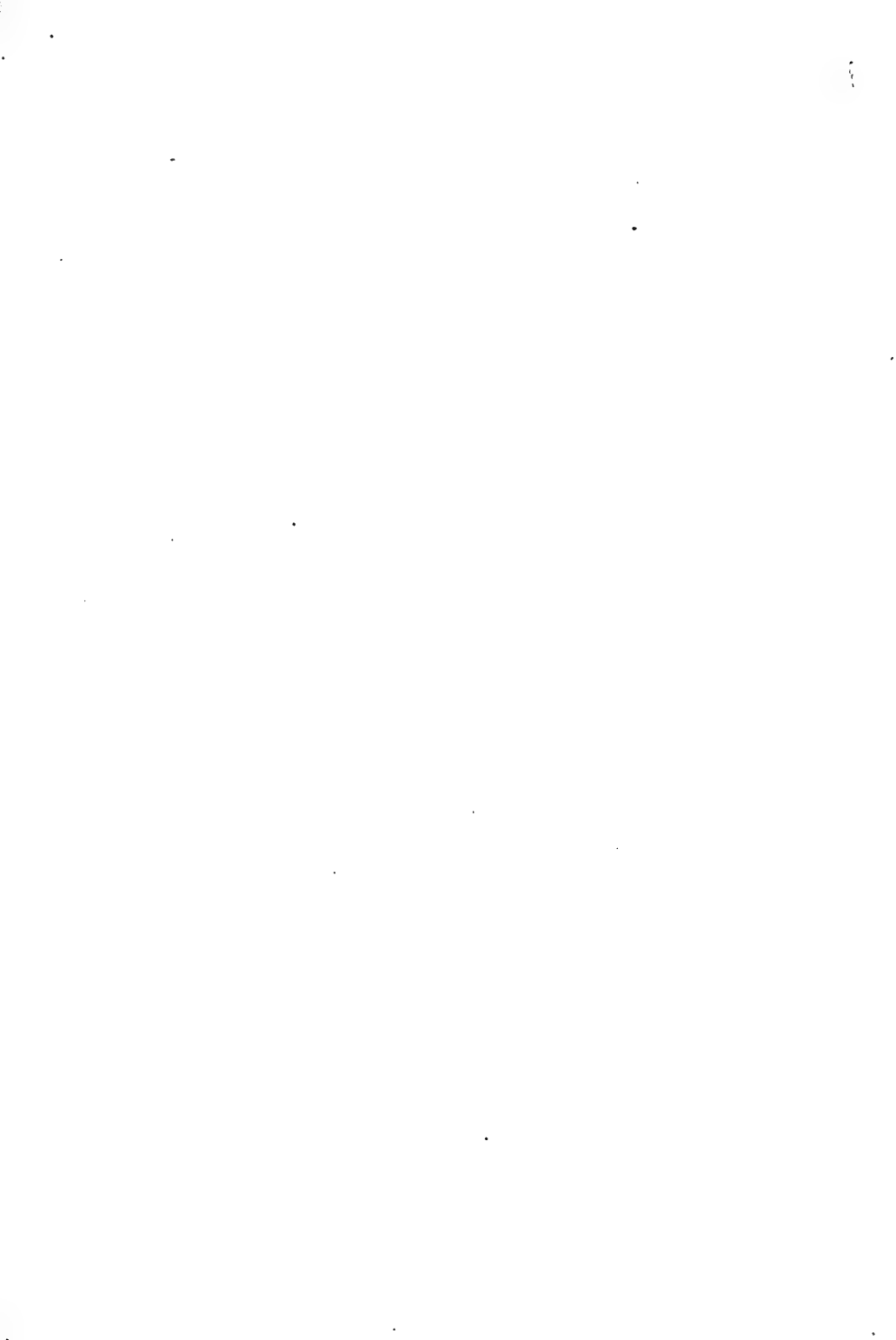
1. Reported to House April 6, 1883.
2. First reading April 7, 1883.

A BILL

For An Act to amend section two hundred and fifty-three (253), of an act, entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section two hundred and fifty-three (253), of an act, entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, be and the same is hereby amended, so as to read as follows:

"Section 253. The taxes upon real property, together with all penalties, interests and costs that may accrue thereon, shall be a prior and first lien on such real property, superior to all other liens and incumbrances, from and including the first day of May, in the year in which the taxes are levied, until the same are paid; which lien may be foreclosed in equity in any court of competent jurisdiction, in the name of the People of the State of Illinois, whenever the same description of property shall have been forfeited to the State for two or more years for non-payment of taxes; and such property may be sold under the order of the court, by the county collector, with the same notice to interested parties, and right of redemption from said sale, as is now provided by law and in conformity with sections four (4) and five (5), of article IX, of the constitution of this State; at which sale the State or any municipality thereof may purchase upon the same terms and restrictions as individuals. In proceedings to foreclose the tax lien on any real property, the last preceding judgment rendered by the county court for delinquent taxes against said property shall be *prima facie* evidence of the amount of taxes against said real property. When any taxes are collected in any such foreclosure proceedings, they shall be paid to the county collector, to be distributed by him to the respective authorities entitled thereto."



HOUSE AMENDMENTS TO SENATE BILL NO. 139.

1. Amend title by adding to the same after the words "July 1, 1872," the
2 following: "Amended May 30, 1881, in force July 1, 1881."
- 3 2. Amend section 1, in line 4, by inserting after the figures "1872," the
4 following: "Amended May 30, 1881, in force July 1, 1881."



1. Introduced by Mr. Gillham, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 12, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the appointment or election of members of boards of education in cities incorporated under an act entitled "An act to provide for the incorporation of cities and villages," in force July 1, 1872.

Be it enacted by the People of the State of Illinois, represented in [the] General Assembly:

- 2 SECTION 1. That all cities in this State incorporated under an act entitled "An act to provide for
3 the incorporation of cities and villages," in force July first, 1872, shall have the power to appoint
4 or elect their school directors or members of the boards of education of such cities, in such
5 manner as the legislative authorities of such cities shall prescribe by ordinance: *Provided*, that
6 no change in the manner of selection of school directors, or members of boards, shall be made
7 by the adoption of this act, different from the modes that now exist, unless first submitted to a
8 vote of the people of such cities whether such school directors or members of boards of educa-
9 tion shall be appointed or elected.
-

AMENDMENTS TO SENATE BILL NO. 143, ADOPTED BY COMMITTEE ON EDUCATION.

Insert after the word "villages" in line 6 of page 1 of written bill, the following words:

- 2 "Approved 1872."

- 3 Strike out the word and figure "section 1" where they appear in line 11 of written bill, page
4 1, and insert the same before the word "be" in line 8.

- 5 Insert after the word "villages" in line 15, page 1, of written bill, the following: "Approved
6 1872," and strike out the word "first" where it appears and insert therein "1."



1. Introduced by Mr. Ray, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Judiciary.
3. Reported back February 13, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section two (2), of division three (3), of chapter thirty-eight (38), of the Revised Statutes of 1874, entitled "An act to revise the law in relation to criminal jurisprudence."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That section two (2), division three (3), of an "An act to
3 revise the law in relation to criminal jurisprudence," being chapter thirty-
4 eight (38), of the Revised Statutes of 1874, be amended so as to read as fol-
5 lows:
6 "All recognizances in criminal cases shall be taken to the people of the State
7 of Illinois, and when not taken in a court of record, in open court, shall be
8 signed by the persons entering into the same, and approved and certified by
9 the judge, justice of the peace, or other officer taking the same. But
10 no such recognizance shall be accepted and the defendant released until the
11 defendant and each of the sureties shall file with the clerk of the court, or
12 officer taking the same, a sworn list or schedule of his property, both real and
13 personal, giving the value of each item of the same, the amount of incum-
14 brance, if any, upon the same, and where located. Any person swearing
15 falsely to any portion of said schedule shall be deemed guilty of perjury.
16 If any recognizance is taken upon such schedules, the same shall be a lien
17 from and after the date of entering into the same, upon all real estate

18 described in said schedules, to the full amount of such recognizance, to con-
19 tinue until properly discharged."

AMENDMENTS TO SENATE BILL NO. 144, PROPOSED BY THE COMMIT-
TEE ON JUDICIARY.

Amend by inserting before the word "all" in line 6, of the bill, the follow-
2 ing: "Section 2."

3 Amend section 2 by inserting after the word "personal" in line 9, the fol-
4 lowing: "As he may elect."

5 Amend section 2 by striking out of line 14, the words "of entering into the
6 same," and inserting in lieu thereof, "when the same becomes a matter of
7 record."

-
1. Introduced by Mr. Ray, February 1, 1883, and ordered to first reading.
 2. First reading February 2, 1883, and referred to Committee on Judiciary.
 3. Reported back February 13, 1883, with amendments, passage recommended, and ordered to second reading.
 4. Second reading March 1, 1883, amended and ordered to third reading.
-

A BILL

For An Act to amend section two (2), of division three (3), of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section two (2), of division three (3), of an act entitled
3 "An act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, and in force July 1, 1874, be amended so as to read as follows:
5

6 "Section 2. All recognizances in criminal cases shall be taken to the people of
7 the State of Illinois, and when not taken in a court of record, in open court,
8 shall be signed by the persons entering into the same, and approved and certified
9 by the judge, justice of the peace, or other officer taking the same. But
10 no such recognizance shall be accepted and the defendant released until the
11 defendant and each of the sureties shall file with the clerk of the court, or
12 officer taking the same, a sworn list or schedule of his property, both real
13 and personal, as he may elect, giving the value of each item of the same, the
14 amount of incumbrance, if any, upon the same, and where located. Any
15 person swearing falsely to any portion of said schedule shall be deemed

16 guilty of perjury. If any recognizance is taken upon such schedules, the
17 same shall be a lien from and after the date, when the same becomes a
18 matter of record, upon all real estate described in said schedules, to the full
19 amount of such recognizance, to continue until properly discharged."

1. Introduced by Mr. Ray, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Judiciary.
3. Reported back February 13, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 1, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section two (2), of division three (3), of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section two (2), of division three (3), of an act entitled
3 "An act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, and in force July 1, 1874, be amended so as to read as
5 follows :

6 "Section 2. All recognizances in criminal cases shall be taken to the
7 people of the State of Illinois, and when not taken in a court of record, in
8 open court, shall be signed by the persons entering into the same, and
9 approved and certified by the judge, justice of the peace, or other officer
10 taking the same. But no such recognizance shall be accepted and the
11 defendant released, until the defendant and each of the sureties shall file
12 with the clerk of the court, or officer taking the same, a sworn list or
13 schedule of his property, both real and personal, as he may elect, giving the
14 value of each item of the same, the amount of incumbrance, if any, upon
15 the same, and where located. Any person swearing falsely to any portion of
16 said schedule shall be deemed guilty of perjury. If any recognizance is
17 taken upon such schedules, the same shall be a lien from and after the date,
18 when the same becomes a matter of record, upon all real estate described in

19 said schedules, situated within the county in which such recognizance is
20 recorded, to the full amount of such recognizance, to continue until properly
21 discharged."

1. Introduced by Mr. Ray, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Judiciary.
3. Reported back March 2, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 145, PROPOSED BY THE COMMITTEE ON JUDICIARY.

Amend the title of the bill by striking out the original title and inserting the following in lieu thereof: "A bill for an act to amend section twenty-one (21) of an act entitled 'An act to amend section twenty-one (21) of an act entitled "An act to revise the law in relation to change of venue," approved May 31, 1881, in force July 1, 1881."

Amend section 1 by striking out lines 2, 3 and 4 of said section in the written bill and inserting the following in lieu thereof: "That section twenty-one (21) of 'An act to amend section twenty-one (21) of an act entitled "An act to revise the law in relation to change of venue," approved May 31, 1881, in force July 1, 1881, be amended."

Amend by prefixing to the word "when," at the beginning of line 10 of the written bill, the following: "Section 21."

A BILL

For An Act to amend section 21 of "An act to revise the law in relation to change of venue," approved March 25, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section twenty-one (21) of an act entitled "An act to revise the law in relation to change of venue," approved March 25, 1874, be amended so as to read as follows:

5 "When the cause for a change of venue is the prejudice of the judge, or
6 any two of them, the petition shall be accompanied by the affidavits of at least
7 two reputable persons, residents of the county, and not of kin or counsel to
8 the applicant, stating that they believe the judge, or any two of them, as the
9 case may be, are so prejudiced against the applicant that he cannot have a
10 fair and impartial trial, (and in such affidavits shall be set forth the facts
11 upon which such belief is founded, and the judge before whom said application
12 is made may refuse such application and refuse to grant such change of venue
13 if he shall believe said facts not well founded). If a change of venue shall be
14 granted, the case may be tried by any other of the circuit judges of the cir-
15 cuit in which the case is pending, and the venue shall not be changed from
16 the county in which the indictment is found."

1. Introduced by Mr. Evans, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Insurance.
3. Reported back February 14, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the cancellation of policies of fire insurance and the return of the premium for the unexpired term of the policy to the assured.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That whenever any person having a policy of fire insurance in any insurance company, corporation or association doing business in the State of Illinois, shall request, in writing, a cancellation of such policy, the said company, corporation or association shall thereupon cancel such policy, charging customary short rates for the expired time of the full term for which the policy has been issued, with commissions, and shall refund the balance of the premium paid to the person insured. Any conditions contained in any policy of fire insurance contrary to the provisions of this section shall be void and of no effect.

§ 2. Any violation of section one of this act shall subject the company, corporation or association, guilty of such violation, to a penalty of not less than fifty dollars nor more than two hundred dollars, to be sued for and recovered in the name of the people of the State of Illinois, with costs and expenses of such prosecution, by the State's attorney of any county in which the company, corporation or association may do business or be located, or in any county where such offense may be committed, and such penalty, when recovered, shall be paid into the treasury of such county for the benefit of the common school fund of such county.

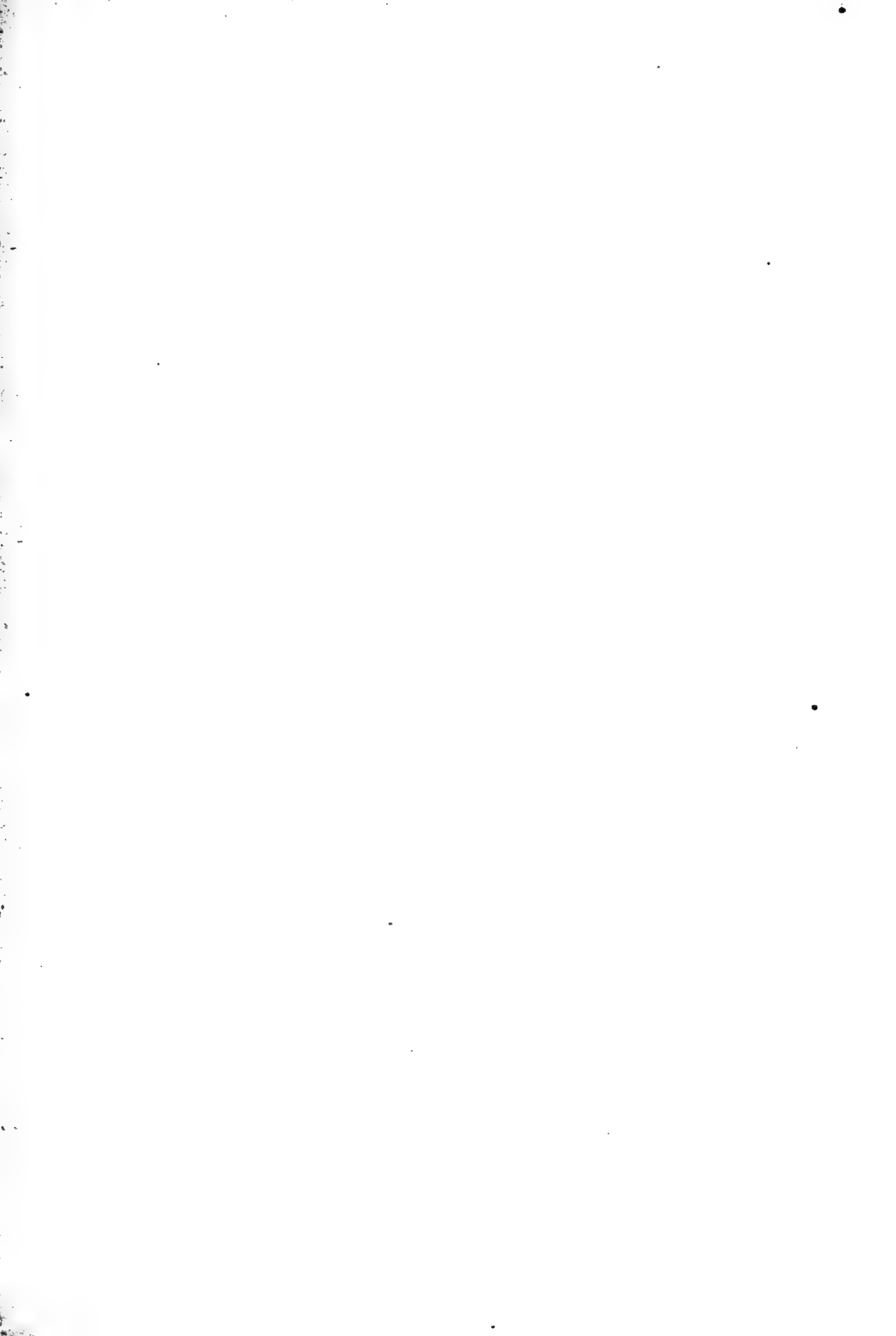
1. Reported to House, March 15, 1883.
2. First reading March 22, 1883, and referred to Committee on Insurance.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May, 3, 1883.

A BILL

For An Act to regulate the cancellation of policies of fire insurance, and the return of the premium for the unexpired term of the policy to the assured.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any person, having a policy of fire insurance in any insurance company, corporation or association doing business in the State of Illinois, shall request, in writing, a cancellation of such policy, the said company, corporation or association shall thereupon cancel such policy, charging customary short rates for the expired time of the full term for which the policy has been issued, with commissions, and shall refund the balance of the premium paid to the person insured. Any conditions contained in any policy of fire insurance, contrary to the provisions of this section, shall be void and of no effect.

§ 2. Any violation of section one of this act, shall subject the company, corporation or association, guilty of such violation, to a penalty of not less than fifty dollars, nor more than two hundred dollars, to be sued for and recovered in the name of the People of the State of Illinois, with costs and expenses of such prosecution, by the State's attorney of any county in which the company, corporation or association may do business or be located, or in any county where such offense may be committed; and such penalty, when recovered, shall be paid into the treasury of such county for the benefit of the common school fund of such county.



1. Introduced by Mr. Fifer, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Corporations.
3. Reported back February 16, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That the Governor of the State shall appoint, by and with
3 the advice and consent of the Senate, a suitable person, resident of this
4 State, who is not interested in manufacturing, dealing in, or vending any
5 illuminating oils manufactured from petroleum, as a State inspector of oils,
6 whose term of office shall be four years from the date of appointment, or
7 until his successor shall be appointed or shall qualify. It shall be the duty
8 of said State inspector, or his deputies hereinafter provided, to examine and
9 test the quality of all such oils offered for sale by any manufacturer, ven-
10 dor or dealer, and if, upon such testing or examination, the oils shall meet
11 the requirement hereinafter specified, he shall fix his brand or device, viz:
12 "approved," with the date, over his official signature, upon the package,
13 barrel, or cask containing the same. And to more effectually carry out the
14 provisions of this act, it shall be lawful for the State inspector, or his
15 deputies, to enter into or upon the premises of any manufacturer, vendor or
16 dealer of said oils, and if they shall find or discover any kerosene oil, or any
17 other product of petroleum that has not been inspected and branded
18 according to the provisions of this act, they shall proceed to inspect and

brand the same. And it shall be lawful for any manufacturer, vendor or dealer to sell the oil so tested and approved as an illuminator; but if the oil or other product of petroleum so tested shall not meet said requirements, he shall mark in plain letters on said package, barrel or cask, over his official signature, the words: "Rejected for illuminating purposes;" and it shall be unlawful for the owner thereof to sell such oil or other product of petroleum for illuminating purposes; and if any person shall sell or offer for sale such rejected oil, or other product of petroleum, for such purpose he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a penalty, in the discretion of the court, in any sum not exceeding two hundred dollars.

§ 2. The State inspector provided for in this act is hereby empowered to appoint and station a suitable number of deputies, which deputies are hereby empowered to perform the duties of inspection, and shall be liable to the same penalties as the State inspector: *Provided*, that the State inspector may remove any of said deputies for reasonable cause. It shall be the duty of the inspector and his deputies to provide themselves, at their own expense, with the necessary instruments and apparatus for testing the quality of said illuminating oils, and when called upon for that purpose to promptly inspect all oils hereinbefore mentioned and to reject for illuminating purposes all oils which will emit a combustible vapor at the temperature of one hundred degrees of Fahrenheit's thermometer: *Provided*, the quantity of oil used in the flash test shall not be less than half a pint. The oil tester known as the Michigan test-cup, and now used in that State, shall be used by the inspector and his deputies. The State inspector shall prepare the forms of all stencils, brands, and stamps provided for in this act, and shall make such rules and regulations for the government of his deputies as may be necessary for the enforcement of the provisions of this act.

§ 3. Every person appointed a State inspector shall, before he enters upon the discharge of the duties of his office, take an oath of affirmation prescribed by the constitution and laws of this State, and shall file the same in the office of the Secretary of State. The State inspector shall execute a

5 bond to the State of Illinois in the sum of \$20,000, with sureties to be ap-
6 proved by the Secretary of State, conditioned for the faithful performance
7 of the duties imposed upon him by this act, which bond shall be for the use
8 of all persons aggrieved by the acts or neglect of said inspector; and the
9 same shall be filed with the Secretary of State. The deputy inspector shall,
10 before he enters upon the duties of his office, take such oath and file such
11 bond with like conditions as are required of the State inspector, said bond
12 to be in such sum as shall be required by the State inspector, with two sure-
13 ties to be approved by the State inspector, and file such oath and bond with
14 the Secretary of State. It shall also be the duty of every inspector or dep-
15 uty inspector to keep a true and accurate record of all oils so inspected and
16 branded by him, which record shall state the date of inspection, the number
17 of barrels rejected, the number of barrels approved, the name of the person
18 for whom inspected, and the money received for such inspection, and said
19 record shall be open to the inspection of all persons interested. It shall
20 also be the duty of every deputy inspector, at the commencement of each
21 month, to forward to the State inspector a true copy of such record for the
22 preceding month. In the month of January in each year the State inspec-
23 tor shall make and deliver to the Governor of the State and the Board of
24 Public Health annual duplicate reports of the inspections by himself and
25 deputies during the preceding calendar year. All illuminating oils manu-
26 factured or refined in this State shall be inspected before being removed
27 from the manufactory or refinery; and if any person or persons, whether
28 manufacturer, vendor or dealer, shall sell or attempt to sell to any person
29 in this State any illuminating oil, whether manufactured in this State or
30 not, before having the same inspected as provided in this act, he shall be
31 deemed guilty of a misdemeanor, and shall be subject to a penalty in any
32 sum not exceeding two hundred dollars; and if any manufacturer, vendor or
33 dealer in either or any of said illuminating oils, shall falsely brand the
34 package, cask or barrel containing the same, as provided in sections one and
35 two of this act, or shall use packages, casks or barrels having the inspec-
36 tor's brand thereon, without having the oil inspected, he shall be deemed

37 guilty of a misdemeanor, and he shall be subject to a penalty in any sum
38 not exceeding two hundred dollars nor less than one hundred dollars, or be
39 imprisoned in the county jail not exceeding six months, or both, at the
40 discretion of the court.

§ 4. Any person selling or dealing in illuminating oils produced from
2 petroleum, who shall sell or dispose of any empty kerosene barrels (barrel)
3 cask, or package, before thoroughly canceling, removing, or effacing the
4 inspection brand on the same, shall be guilty of a misdemeanor, and on
5 conviction shall pay a fine of one dollar for each barrel, cask, or package
6 thus sold or disposed of; and any person who shall knowingly use any
7 illuminating oil or products of petroleum for illuminating or heating pur-
8 poses before the same has been inspected and approved by the State In-
9 spector of oils or his deputy, shall be guilty of a misdemeanor, and on con-
10 viction shall pay a fine in any sum not exceeding ten dollars for each
11 offense.

§ 5. No person shall adulterate with paraffine or other substance for the
2 purpose of sale or for use, any coal or kerosene oils to be used for lights, in
3 such a manner as to render them dangerous to use, nor shall any person
4 knowingly sell or offer to sell, or knowingly use such adulterated oil, nor
5 shall any person knowingly sell or offer for sale, or knowingly use any coal
6 or kerosene oil, or any of the product thereof, for illuminating purposes,
7 which by reason of being adulterated, or for any other reason, will emit a
8 combustible vapor at a temperature less than one hundred degrees of Fah-
9 renheit's thermometer: *Provided*, that the quantity used in the test shall
10 not be less than one-half pint: *And further provided*, that the gas or vapor
11 from said oils may be used for illuminating purposes, when the oils from
12 which said gas or vapor is generated are contained in closed reservoirs out-
13 side the building illuminated or lighted by said gas. Any person violating
14 the provisions of this section shall be deemed guilty of a misdemeanor, and
15 shall, upon conviction thereof, be punished by imprisonment in the county
16 jail not more than one year, or by fine not exceeding four hundred dollars,
17 or by both such fine and imprisonment in the discretion of the court:

18 *Provided*, that nothing in this act shall be so con-
 19 use in street lamps of lighter products of petroleum, such as gasoline, ben-
 20 zine, benzole, naphtha: *Provided, further*, that the provisions of this act shall
 21 not apply to the use of machines or generators constructed on the principle
 22 of the "Davy safety lamp."

§ 6. The State Inspector and his deputies shall be entitled to receive as
 2 fees, to be paid by the party requiring their services as provided in this act,
 3 as follows: The State Inspector, or his deputy, shall be entitled to demand
 4 and receive from the owner or person calling on him, or for whom he shall
 5 perform the inspection, the sum of forty cents for a single barrel, package,
 6 or cask; twenty-five cents each when the lot does not exceed ten in number;
 7 fifteen cents each when the lot does not exceed twenty in number; ten
 8 cents each when the lot does not exceed fifty in number, and five
 8 cents for each barrel when the lot exceeds fifty barrels. All fees so accruing
 10 shall be a lien on the oil so inspected.

§ 7. It shall be the duty of the State Inspector, or any deputy inspector,
 2 who shall know of the violation of any of the provisions of this act, to enter
 3 complaint before any court of competent jurisdiction against any person so
 4 offending, and in case the State Inspector or deputy inspector, having
 5 knowledge of the violation of the provisions of this act, shall neglect to
 6 enter complaint as required by and provided for in this section, he shall be
 7 deemed guilty of a misdemeanor.

§ 8. It shall be the duty of all prosecuting attorneys to represent and
 2 prosecute in the behalf of the people, within their respective counties, all
 3 cases of offenses arising under the provisions of this act. All disputes
 4 concerning the vaporizing temperature of any particular lot of oil, arising be-
 5 tween a deputy and a manufacturer, dealer or consumer, shall be referred
 6 by them to the State inspector for decision. An appeal from the decision of
 7 the State inspector may be taken by the manufacturer, dealer or consumer
 8 to the State professor of chemistry, whose decision shall be final.

§ 9. The fines herein provided may be recovered in the name of the people
 2 of the State of Illinois before any justice of the peace of the county where
 3 the offense is committed, and when collected shall be paid to the proper
 4 officers to be used for school purposes in said county.

§ 10. No inspector or deputy inspector shall, while in office, traffic directly
 2 or indirectly in any article which he is appointed to inspect. For the vio-
 3 lation of any of the provisions of this act he shall be liable to a penalty not
 4 to exceed three hundred dollars.

§ 11. It shall be the duty of the Governor to remove from office, and to
 2 appoint a competent person in the place of, any inspector who is unfaithful
 3 in the duties of his office.

§ 12. An act entitled "An act to revise the law in relation to oil inspec-
 2 tion," approved March 12, 1874, and all acts and parts of acts inconsistent
 3 with the provisions of this act, are hereby repealed.

§ 13. Whereas, in the winter time larger quantities of oil are used than
 2 any other season of the year, and consequently there is now great danger
 3 from explosions and fires by the use of oil which would not bear the test
 4 and inspection provided in this act; and in many counties of this State there
 5 is now no provision for inspection of oil, whereby an emergency exists that
 6 this act shall take effect without delay, therefore, this act shall take effect
 7 and be in force from and after its passage.

**AMENDMENTS TO SENATE BILL NO. 151, RECOMMENDED BY COMMIT-
 TEE ON CORPORATIONS.**

1. Amend by striking out in lines nine and ten, in section 5, the words "one
 2 hundred," and inserting in the place thereof the words "one hundred and fifty."
2. Amend by striking out the emergency clause.

1. Introduced by Mr. Fifer, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Corporations.
3. Reported back March 9, 1883, with amendment, passage recommended, and ordered to second reading.

**AMENDMENT TO SENATE BILL 151, RECOMMENDED BY COMMITTEE
ON CORPORATIONS.**

Amend by striking out the emergency clause.

A BILL

For An Act to provide for the inspection of illuminating oils manufactured from
petroleum or coal oils.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That the Governor of the State shall appoint, by and with the
3 advice and consent of the Senate, a suitable person, resident of this State, who
4 is not interested in manufacturing, dealing in, or vending any illuminating oils
5 manufactured from petroleum, as a State inspector of oils, whose term of
6 office shall be four years from the date of appointment, or until his successor
7 shall be appointed or shall qualify. It shall be the duty of said State in-
8 spector, or his deputies hereinafter provided, to examine and test the quality
9 of all such oils offered for sale by any manufacturer, vendor, or dealer, and
10 if, upon such testing or examination, the oils shall meet the requirement
11 hereinafter specified, he shall fix his brand or device, viz: "approved," with
12 the date over his official signature upon the package, barrel or cask contain-

ing the same. And to more effectually carry cut the provisions of this act, it shall be lawful for the State inspector, or his deputies, to enter into or upon the premises of any manufacturer, vendor, or dealer of said oils, and if they shall find or discover any kerosene oil, or any product of petroleum that has not been inspected and branded, according to the provisions of this act, they shall proceed to inspect and brand the same. And it shall be lawful for any manufacturer, vendor, or dealer, to sell the oil so tested and approved as an illuminator; but if the oil or other product of petroleum so tested shall not meet said requirements, he shall mark in plain letters on said package, barrel, or cask, over his official signature, the words: "Rejected for illuminating purposes;" and it shall be unlawful for the owner thereof to sell such oil or other product of petroleum, for illuminating purposes; and if any person shall sell or offer for sale such rejected oil, or other product of petroleum, for such purpose, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a penalty, in the discretion of the court, in any sum not exceeding two hundred dollars.

§ 2. The State Inspector, provided for in this act, is hereby empowered to appoint and station a suitable number of deputies, which deputies are hereby empowered to perform the duties of inspection, and shall be liable to the same penalties as the State inspector: *Provided*, that the State inspector may remove any of said deputies for reasonable cause. It shall be the duty of the inspector and his deputies to provide themselves, at their own expense, with the necessary instruments and apparatus for testing the quality of said illuminating oils, and when called upon for that purpose, to promptly inspect all oils hereinbefore mentioned, and to reject for illuminating purposes all oils which will emit a combustible vapor at the temperature of one hundred degrees of Fahrenheit's thermometer: *Provided*, the quantity of oil used in the flash test shall not be less than half a pint. The oil tester known as the Michigan test-cup, and now used in that State, shall be used by the inspector and his deputies. The State inspector shall prepare the forms of all stencils, brands and stamps provided for in this act, and shall make such rules and

16 regulations for the government of his deputies as may be necessary for the
17 enforcement of the provisions of this act.

§ 3. Every person appointed a State Inspector shall, before he enters upon
2 the discharge of the duties of his office, take an oath of affirmation prescribed
3 by the constitution and laws of this State, and shall file the same in the office
4 of the Secretary of State. The State Inspector shall execute a bond, to the
5 State of Illinois in the sum of \$20,000, with sureties, to be approved by the
6 Secretary of State, conditioned for the faithful performance of the duties
7 imposed upon him by this act, which bond shall be for the use of all persons
8 aggrieved by the acts or neglect of said inspector; and the same shall be filed
9 with the Secretary of State. The deputy inspector shall, before he enters upon
10 the duties of his office, take such oath and file such bond with like conditions
11 as are required of the State Inspector, said bond to be in such sum as shall
12 be required by the State Inspector, with two sureties, to be approved
13 by the State Inspector, and file such oath and bond with the
14 Secretary of State. It shall also be the duty of every inspector or deputy
15 inspector to keep a true and accurate record of all oils so inspected and branded
16 by him, which record shall state the date of inspection, the number of barrels
17 rejected, the number of barrels approved, the name of the person for whom
18 inspected, and the money received for such inspection, and said record shall
19 be open to the inspection of all persons interested. It shall also be the duty
20 of every deputy inspector, at the commencement of each month, to forward
21 to the State Inspector a true copy of such record for the preceding month.
22 In the month of January, in each year, the State Inspector shall make and
23 deliver to the Governor of the State, and board of public health, annual dupli-
24 cate reports of the inspections by himself and deputies during the preceding
25 calendar year. All illuminating oils manufactured or refined in this State,
26 shall be inspected before being removed from the manufactory or refinery;
27 and if any person or persons, whether manufacturer, vendor or dealer, shall
28 sell, or attempt to sell, to any person in this State any illuminating oil, whether
29 manufactured in this State or not, before having the same inspected as pro-
30 vided in this act, he shall be deemed guilty of a misdemeanor, and shall be sub-
31 ject to a penalty in any sum not exceeding two hundred dollars; and if any

32 manufacturer, vendor or dealer, in either of any of said illuminating oils, shall
33 falsely brand the package, cask, or barrel containing the same, as provided
34 in sections one and two of this act, or shall use packages, casks or barrels
35 having the inspector's brand thereon, without having the oil inspected, he
36 shall be deemed guilty of a misdemeanor, and he shall be subject to a penalty
37 in any sum not exceeding two hundred dollars, nor less than one hundred
38 dollars, or be imprisoned in the county jail not exceeding six months, or
39 both, at the discretion of the court.

§ 4. Any person selling or dealing in illuminating oils produced from petro-
2 leum, who shall sell or dispose of any empty kerosene barrels (barrel), casks
3 or package, before thoroughly cancelling, removing or effacing the inspection
4 brand on the same, shall be guilty of a misdemeanor, and on conviction shall
5 pay a fine of one dollar for each barrel, cask or package thus sold or dis-
6 posed of ; and any person who shall knowingly use any illuminating oil or
7 products of petroleum for illuminating or heating purposes before the same
8 has been inspected and approved by the State Inspector of oils, or his deputy,
9 shall be guilty of a misdemeanor, and, on conviction, shall pay a fine in any
10 sum not exceeding ten dollars for each offense.

§ 5. No person shall adulterate with paraffine or other substance for the
2 purpose of sale, or for use, any coal or kerosene oils to be used for lights in
3 such a manner as to render them dangerous to use, nor shall any person
4 knowingly sell or offer to sell, or knowingly use such adulterated oil, nor
5 shall any person knowingly sell or offer for sale, or knowingly use any coal
6 or kerosene oil, or any of the product thereof, for illuminating purposes,
7 which by reason of being adulterated, or for any other reason, will emit a
8 combustible vapor at a temperature less than one hundred degrees of Fahr-
9 enheit's thermometer : *Provided*, that the quantity used in the test shall not
10 be less than one-half pint : *And, further, provided*, that the gas or vapor
11 from said oils may be used for illuminating purposes, when the oils from
12 which said gas or vapor is generated are contained in closed reservoirs out-
13 side the building illuminated or lighted by said gas. Any person violating
14 the provisions of this section shall be deemed guilty of a misdemeanor, and

15 shall, upon conviction thereof, be punished by imprisonment in the county
16 jail, not more than one year, or by fine not exceeding four hundred dollars,
17 or by both such fine and imprisonment in the discretion of the court :
18 *Provided*, that nothing in this act shall be so construed as to prevent the
19 use in street-lamps of lighter products of petroleum, such as gasline,
20 benzine, benzole, naphtha : *Provided further*, that the provisions of this act
21 shall not apply to the use of machines or generators constructed on the
22 principle of the "Davy safety-lamp."

§ 6. The State Inspector and his deputies shall be entitled to receive as
2 fees to be paid by the party requiring their services as provided in this act,
3 as follows : The State Inspector, or his deputy, shall be entitled to demand
4 and receive from the owner or person calling on him, or for whom he shall
5 perform the inspection, the sum of forty cents for a single barrel, package
6 or cask ; twenty-five cents each when the lot does not exceed ten in number ;
7 fifteen cents each when the lot does not exceed twenty in number ; ten cents
8 each when the lot does not exceed fifty in number, and five cents for each
9 barrel when the lot exceeds fifty barrels. All fees so accruing shall be a lien
10 on the oil so inspected.

§ 7. It shall be the duty of the State Inspector, or any deputy inspector,
2 who shall know of the violation of any of the provisions of this act, to enter
3 complaint before any court of competent jurisdiction, against any person so
4 offending, and in case the State Inspector, or deputy inspector, having
5 knowledge of the violation of the provisions of this act, shall neglect to
6 enter complaint as required by and provided for in this section, he shall be
7 deemed guilty of a misdemeanor.

§ 8. It shall be the duty of all prosecuting attorneys to represent and
2 prosecute in the behalf of the people, within their respective counties, all
3 cases of offenses arising under the provisions of this act. All disputes con-
4 cerning the vaporizing temperature of any particular lot of oil arising be-
5 tween a deputy and a manufacturer, dealer, or consumer, shall be referred
6 by them to the State Inspector for decision. An appeal from the decision of

7 the State Inspector may be taken by the manufacturer, dealer, or consumer
8 to the State Professor of Chemistry, whose decision shall be final.

§ 9. The fines herein provided may be recovered in the name of the Peo-
2 ple of the State of Illinois before any justice of the peace of the county
3 where the offense is committed, and when collected shall be paid to the
4 proper officers to be used for school purposes in said county.

§ 10. No inspector or deputy inspector shall, while in office, traffic directly
2 or indirectly in any article which he is appointed to inspect. For the viola-
3 tion of any of the provisions of this act, he shall be liable to a penalty not
4 to exceed three hundred dollars.

§ 11. It shall be the duty of the Governor to remove from office, and to
2 appoint a competent person, in the place of any inspector who is unfaithful
3 in the duties of his office.

§ 12. An act entitled "An act to revise the law in relation to oil inspec-
2 tion," approved March 12, 1874, and all acts and parts of acts inconsistent
3 with the provisions of this act, are hereby repealed.

§ 13. Whereas in the winter time larger quantities of oil are used than
2 any other season of the year, and consequently there is now great danger
3 from explosions and fires by the use of oil, which would not bear the test
4 and inspection provided in this act; and in many counties of this State there
5 is now no provision for inspection of oil, whereby an emergency exists, that
6 this act shall take effect without delay. Therefore, this act shall take effect
7 and be in force from and after its passage.

1. Introduced by Mr. Fifer, February 1, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Corporations.
3. Reported back with amendments, passage recommended.
4. Recommitted to Committee on Corporations, March 2, 1883.
5. Reported back with amendments, passage recommended, and ordered to second reading.
6. Second reading April 13, 1883, and ordered to third reading.

A BILL

For An Act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That the Governor of the State shall appoint, by and with
3 the advice and consent of the Senate, a suitable person, resident of this
4 State, who is not interested in manufacturing, dealing in, or vending any
5 illuminating oils manufactured from petroleum, as a State inspector of oils,
6 whose term of office shall be four years from the date of appointment, or
7 until his successor shall be appointed or shall qualify. It shall be the duty
8 of said State inspector, or his deputies hereinafter provided, to examine and
9 test the quality of all such oils offered for sale by any manufacturer, ven-
10 der or dealer, and if, upon such testing or examination, the oils shall meet
11 the requirement hereinafter specified, he shall fix his brand or device, viz.:
12 "approved," with the date, over his official signature, upon the package,
13 barrel, or cask containing the same. And to more effectually carry out the
14 provisions of this act, it shall be lawful for the State inspector, or his
15 deputies, to enter into or upon the premises of any manufacturer, vender or
16 dealer of said oils, and if they shall find or discover any kerosene oil, or
17 any product of petroleum that has not been inspected and branded accord-

ing to the provisions of this act, they shall proceed to inspect and brand the same. And it shall be lawful for any manufacturer, vender or dealer to sell the oil so tested and approved as an illuminator; but if the oil or other product of petroleum so tested shall not meet said requirements, he shall mark in plain letters on said package, barrel or cask, over his official signature, the words: "Rejected for illuminating purposes;" and it shall be unlawful for the owner thereof to sell such oil or other product of petroleum for illuminating purposes; and if any person shall sell or offer for sale such rejected oil, or other product of petroleum, for such purpose, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a penalty, in the discretion of the court, in any sum not exceeding two hundred dollars.

§ 2. The State inspector provided for in this act is hereby empowered to appoint and station a suitable number of deputies, which deputies are hereby empowered to perform the duties of inspection, and shall be liable to the same penalties as the State inspector: *Provided*, that the State inspector may remove any of said deputies for reasonable cause. It shall be the duty of the inspector and his deputies to provide themselves, at their own expense, with the necessary instruments and apparatus for testing the quality of said illuminating oils, and when called upon for that purpose to promptly inspect all oils hereinbefore mentioned and to reject for illuminating purposes all oils which will emit a combustible vapor at the temperature of one hundred degrees of Fahrenheit's thermometer: *Provided*, the quantity of oil used in the flash test shall not be less than half a pint. The oil tester known as the Michigan test-cup, and now used in that State, shall be used by the inspector and his deputies. The State inspector shall prepare the forms of all stencils, brands, and stamps provided for in this act, and shall make such rules and regulations for the government of his deputies as may be necessary for the enforcement of the provisions of this act.

§ 3. Every person appointed a State inspector shall, before he enters upon the discharge of the duties of his office, take an oath of affirmation prescribed by the constitution and laws of this State, and shall file the same in

4 the office of the Secretary of State. The State inspector shall execute a
5 bond to the State of Illinois in the sum of \$20,000, with sureties, to be ap-
6 proved by the Secretary of State, conditioned for the faithful performance
7 of the duties imposed upon him by this act, which bond shall be for the use
8 of all persons aggrieved by the acts or neglect of said inspector; and the
9 same shall be filed with the Secretary of State. The deputy inspector shall,
10 before he enters upon the duties of his office, take such oath and file such
11 bond with like conditions as are required of the State inspector, said bond
12 to be in such sum as shall be required by the State inspector with two sure-
13 ties to be approved by the State inspector, and file such oath and bond with
14 the Secretary of State. It shall also be the duty of every inspector or dep-
15 uty inspector to keep a true and accurate record of all oils so inspected and
16 branded by him, which record shall state the date of inspection, the number
17 of barrels rejected, the number of barrels approved, the name of the person
18 for whom inspected, and the money received for such inspection, and said
19 record shall be open to the inspection of all persons interested. It shall
20 also be the duty of every deputy inspector, at the commencement of each
21 month, to forward to the State inspector a true copy of such record for the
22 preceding month. In the month of January in each year, the State inspec-
23 tor shall make and deliver to the Governor of the State and the Board of
24 Public Health annual duplicate reports of the inspections by himself and
25 deputies during the preceding calendar year. All illuminating oils manu-
26 factured or refined in this State shall be inspected before being removed
27 from the manufactory or refinery; and if any person or persons, whether
28 manufacturer, vender or dealer, shall sell or attempt to sell to any person
29 in this State any illuminating oil, whether manufactured in this State or
30 not, before having the same inspected as provided in this act, he shall be
31 deemed guilty of a misdemeanor, and shall be subject to a penalty in any
32 sum not exceeding two hundred dollars; and if any manufacturer, vender or
33 dealer in either of any of said illuminating oils, shall falsely brand the
34 package, cask or barrel containing the same, as provided in sections one and
35 two of this act, or shall use packages, casks or barrels having the inspec-

36 tor's brand thereon, without having the oil inspected, he shall be deemed
37 guilty of a misdemeanor, and he shall be subject to a penalty in any sum
38 not exceeding two hundred dollars nor less than one hundred dollars, or be
39 imprisoned in the county jail not exceeding six months, or both, at the
40 discretion of the court.

§ 4. Any person selling or dealing in illuminating oils produced from
2 petroleum, who shall sell or dispose of any empty kerosene barrels (barrel),
3 cask, or package, before thoroughly canceling, removing, or effacing the
4 inspection brand on the same, shall be guilty of a misdemeanor, and on
5 conviction shall pay a fine of one dollar for each barrel, cask, or package
6 thus sold or disposed of; and any person who shall knowingly use any
7 illuminating oil or products of petroleum for illuminating or heating pur-
8 poses before the same has been inspected and approved by the State In-
9 spector of oils or his deputy, shall be guilty of misdemeanor, and on con-
10 viction shall pay a fine in any sum not exceeding ten dollars for each
11 offense.

§ 5. No person shall adulterate with paraffine or other substance for the
2 purpose of sale or for use, any coal or kerosene oils to be used for lights, in
3 such a manner as to render them dangerous to use, nor shall any person
4 knowingly sell or offer to sell, or knowingly use such adulterated oil, nor
5 shall any person knowingly sell or offer for sale, or knowingly use any coal
6 or kerosene oil, or any of the product thereof, for illuminating purposes,
7 which by reason of being adulterated, or for any other reason, will emit a
8 combustible vapor at a temperature less than one hundred degrees of Fah-
9 renheit's thermometer: *Provided*, that the quantity used in the test shall
10 not be less than one-half pint: *And, further provided*, that the gas or vapor
11 from said oils may be used for illuminating purposes, when the oils from
12 which said gas or vapor is generated are contained in closed reservoirs out-
13 side the building illuminated or lighted by said gas. Any person violating
14 the provisions of this section shall be deemed guilty of a misdemeanor, and
15 shall, upon conviction thereof, be punished by imprisonment in the county
16 jail not more than one year, or by fine not exceeding four hundred dollars

17 or by both such fine and imprisonment in the discretion of the court:
18 *Provided*, that nothing in this act shall be so construed as to prevent the
19 use in street lamps of lighter products of petroleum, such as gasolene, ben-
20 zine, benzole, naphtha: *Provided, further*, that the provisions of this act shall
21 not apply to the use of machines or generators constructed on the principle
22 of the "Davy safety lamp."

§ 6. The State Inspector and his deputies shall be entitled to receive as
2 fees, to be paid by the party requiring their services as provided in this act,
3 as follows: The State Inspector, or his deputy, shall be entitled to demand
4 and receive from the owner or person calling on him, or for whom he shall
5 perform the inspection, the sum of forty cents for a single barrel, package,
6 or cask; twenty-five cents each when the lot does not exceed ten in number;
7 fifteen cents each when the lot does not exceed twenty in number; ten cents
8 each when the lot does not exceed fifty in number, and five cents for each
9 barrel when the lot exceeds fifty barrels. All fees so accruing shall be a
10 lien on the oil so inspected.

§ 7. It shall be the duty of the State inspector, or any deputy inspector,
2 who shall know of the violation of any of the provisions of this act, to enter
3 complaint before any court of competent jurisdiction against any person so
4 offending, and in case the State inspector or deputy inspector, having knowl-
5 edge of the violation of the provisions of this act, shall neglect to enter com-
6 plaint as required by and provided for in this section, he shall be deemed guilty
7 of a misdemeanor.

§ 8. It shall be the duty of all prosecuting attorneys to represent and
2 prosecute in the behalf of the people, within their respective counties, all
3 cases of offenses arising under the provisions of this act. All disputes con-
4 cerning the vaporizing temperature of any particular lot of oil, arising be-
5 tween a deputy and a manufacturer, dealer or consumer, shall be referred
6 by them to the State inspector for decision. An appeal from the decision of
7 the State inspector may be taken by the manufacturer, dealer or consumer
8 to the State professor of chemistry, whose decision shall be final.

§ 9. The fines herein provided may be recovered in the name of the people
2 of the State of Illinois before any justice of the peace of the county where
3 the offense is committed, and when collected shall be paid to the proper
4 officers to be used for school purposes in said county.

§ 10. No inspector or deputy inspector shall, while in office, traffic directly
2 or indirectly in any article which he is appointed to inspect. For the viola-
3 tion of any of the provisions of this act he shall be liable to a penalty not
4 to exceed three hundred dollars.

§ 11. It shall be the duty of the Governor to remove from office, and to
2 appoint a competent person in the place of, any inspector who is unfaithful
3 in the duties of his office.

§ 12. An act entitled "An act to revise the law in relation to oil inspec-
2 tion," approved March 12, 1874, and all acts and parts of acts inconsistent
3 with the provisions of this act, are hereby repealed.

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1. Introduced by Mr. Torrance, February 2, 1883, and ordered to first reading.
 - 2 First reading February 2, 1883, and referred to Committee on Education and Educational Institutions.
 3. Reported back February 7, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to empower boards of education to acquire title to land to be used for school sites by the right of eminent domain.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* Whenever any board of education shall select ground or a site for buildings to be used for school purposes, and be unable to agree with the owners or parties in interest as to the price to be paid for the fee thereof, or for any other cause cannot secure the title thereto, such board of education may acquire such title to such property in any manner that may now or hereafter be provided by any law of eminent domain for the condemnation of land by municipal or other public corporations.

§ 2. All lands so acquired shall be held, owned and controlled in the same manner as other lands purchased for, or granted, or dedicated to school purposes.

§ 3. And, whereas, there is great difficulty experienced in procuring sufficient school accommodations, and there is no law now in force expressly providing for the acquirement of school property in the manner above provided, therefore an emergency exists, and this act shall be in force from and after its passage.

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1. Reported to House, March 23, 1883.
 2. First reading March 10, 1883, and referred to Committee on Education.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading March 15, 1883.
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A BILL

For An Act to empower boards of education to acquire title to land, to be used for school sites by the right of eminent domain.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any board of education shall select ground or a site for buildings to be used for school purposes, and be unable to agree with the owners or parties in interest as to the price to be paid for the fee thereof, or for any other cause cannot secure the title thereto, such board of education may acquire such title to such property in any manner that may now or hereafter be provided by any law of eminent domain for the condemnation of land by municipal or other public corporations.

§ 2. All lands so acquired shall be held, owned and controlled in the same manner as other lands purchased for, or granted, or dedicated to school purposes.

§ 3. And, whereas there is great difficulty experienced in procuring sufficient school accommodations, and there is no law now in force expressly providing for the acquisition of school property in the manner above provided, therefore an emergency exists, and this act shall be in force from and after its passage.

1. Introduced by Mr. Fifer, February 2, 1883, read first time, and referred to Committee on State Charitable Institutions.
2. Reported back April 12, 1883, and referred to Committee on Appropriations.
3. Reported back April 19, 1883, with amendments, passage recommended and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 155, RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

1. Amend by striking out the words and figures "sixty thousand dollars (\$60,000)," in section 1 of written bill (being for ordinary and incidental expenses), and insert in lieu thereof, the words and figures "fifty-five thousand dollars (\$55,000)."
2. Amend by striking out the words and figures "five thousand dollars (\$5,000)," being the second item in section 2 of written bill (being for new hospital building), and insert in lieu thereof, the words and figures "two thousand five hundred dollars (\$2,500)."
3. Amend by striking out all words and figures in lines 2 and 3, page 2 of written bill (being for suitable fire escape), and all words and figures in lines 4 and 5 of written bill (being for reimbursement for loss by fire).

A BILL

For An Act entitled an act to make appropriations for the Illinois Soldiers Orphans' Home, and to maintain said institution for the next two years.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That from and after the first day of July, A. D. 1883, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, there is hereby appropriated to the Illinois Soldiers Orphans' Home, the sum of sixty thousand dollars (\$60,000) per annum, payable quarterly in advance, for the ordinary and incidental expenses of said institution.

§ 2. There is further appropriated to said Illinois Soldiers Orphans' Home, the following amounts, to-wit:

- For improvements and repairs, five thousand dollars (\$5,000).
- For a new hospital building, the additional sum of five thousand dollars (\$5,000.)
- For library books, the sum of five hundred dollars (\$500.)
- For furniture, the sum of five hundred dollars (\$500).
- For a suitable fire escape, the sum of one thousand dollars (\$1,000), and for reimbursement for loss by fire, the sum of one thousand dollars (\$1,000).

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the amounts herein appropriated upon the order of the board of trustees signed by the president and attested by the secretary, with the seal of the institution, subject to the provisions of sections eighteen (18), nineteen (19) and twenty (20) of an act to regulate State institutions, approved April 15, 1875.

1. Introduced by Mr. Fifer, February 2, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, with amendments, passage recommended and referred to Committee on Appropriations.
4. Reported back April 19, 1883, with amendments, passage recommended, and ordered to second reading.
5. Second reading April 29, 1883, amended, and ordered to third reading.

A BILL

For An Act entitled an act to make appropriations for the Illinois Soldiers Orphans' Home, and to maintain said institution for the next two years.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That from and after the first day of July, A. D. 1883, until the expiration of the first
3 fiscal quarter after the adjournment of the next regular session of the General Assembly, there is
4 hereby appropriated to the Illinois Soldiers Orphans' Home, the sum of fifty-five thousand dollars
5 (\$55,000) per annum, payable quarterly in advance, for the ordinary and incidental expenses of
6 said institution.

§ 2. There is further appropriated to said Illinois Soldiers Orphans' Home, the following
2 amounts, to-wit:

3 For improvements and repairs, five thousand dollars (\$5,000).

4 For a new hospital building, the additional sum of two thousand five hundred dollars (\$2,500.)

5 For library books, the sum of five hundred dollars (\$500.)

6 For furniture, the sum of five hundred dollars (\$500).

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant
2 upon the State Treasurer for the amounts herein appropriated upon the order of the board of
3 trustees signed by the president and attested by the secretary, with the seal of the institution,
4 subject to the provisions of sections eighteen (18), nineteen (19) and twenty (20), of an act to
5 regulate State institutions, approved April 15, 1875.



1. Introduced by Mr. Fifer, February 2, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, with amendments, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 19, 1883, with amendments, passage recommended, and ordered to second reading.
5. Second reading April 29, 1883, amended, and ordered to third reading.

A BILL

For An Act entitled an act to make appropriations for the Illinois Soldiers Orphans' Home, and to maintain said institution for the next two years.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That from and after the first day of July, A. D. 1883, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, there is hereby appropriated to the Illinois Soldiers Orphans' Home, the sum of fifty-five thousand dollars (\$55,000) per annum, payable quarterly in advance, for the ordinary and incidental expenses of said institution.

§ 2. There is further appropriated to said Illinois Soldiers Orphans' Home, the following amounts, to-wit:

- For improvements and repairs, five thousand dollars (\$5,000).
- For a new hospital building, the additional sum of two thousand five hundred dollars (\$2,500.)
- For library books, the sum of five hundred dollars (\$500.)
- For furniture, the sum of five hundred dollars (\$500).

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the amounts herein appropriated upon the order of the board of trustees signed by the president and attested by the secretary, with the seal of the institution, subject to the provisions of sections eighteen (18), nineteen (19) and twenty (20), of an act to regulate State institutions, approved April 15, 1875.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act entitled an act to make appropriations for the Illinois Soldiers Orphans' Home, and to maintain said institution for the next two years.

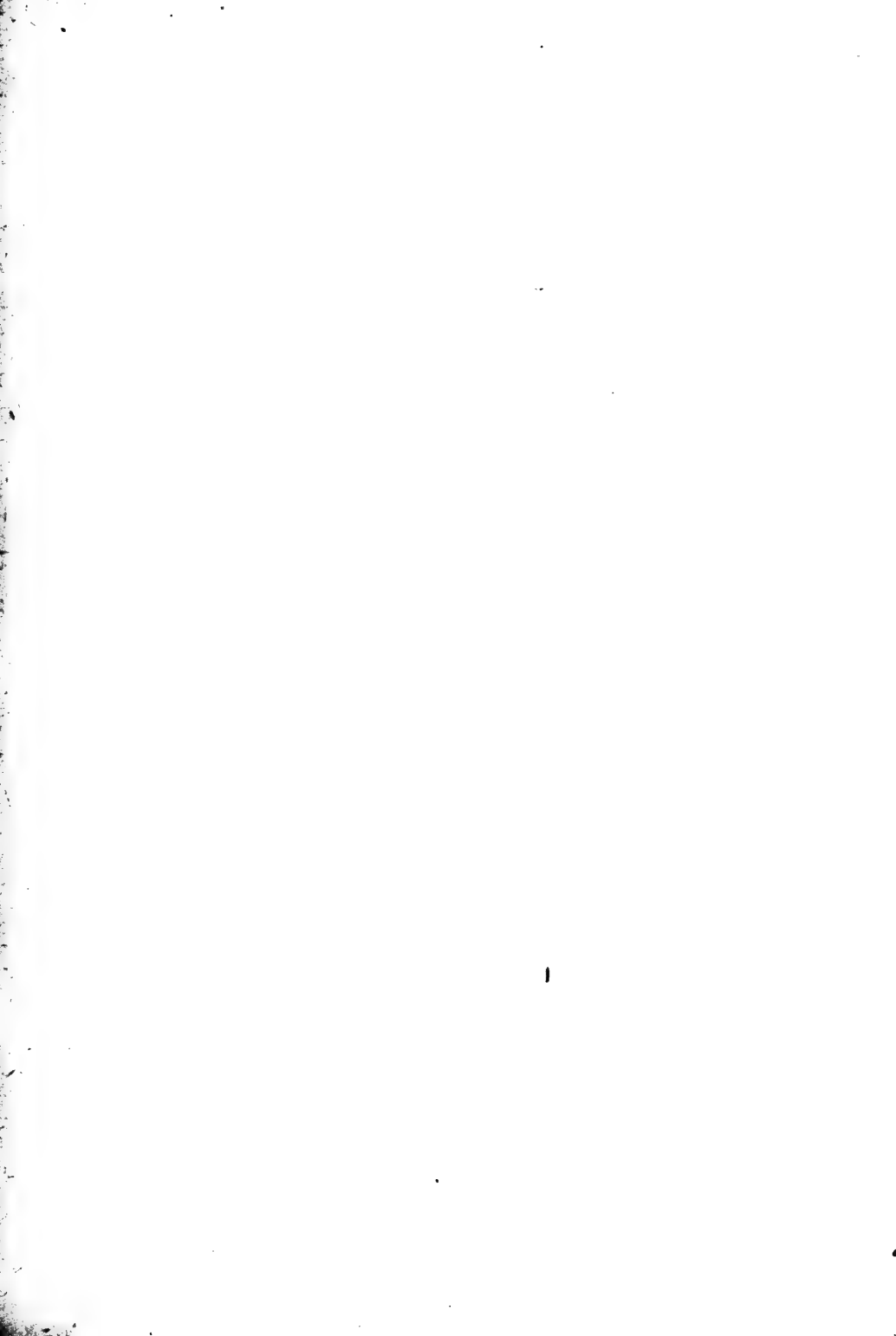
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That from and after the first day of July, A. D. 1883, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, there is hereby appropriated to the Illinois Soldiers Orphans' Home, the sum of fifty-five thousand dollars (\$55,000) per annum, payable quarterly in advance, for the ordinary and incidental expenses of said institution.

§ 2. There is further appropriated to said Illinois Soldiers Orphans' Home, the following amounts, to-wit:

- For improvements and repairs, five thousand dollars (\$5,000).
- For a new hospital building, the additional sum of two thousand five hundred dollars (\$2,500.)
- For library books, the sum of five hundred dollars (\$500.)
- For furniture, the sum of five hundred dollars (\$500).

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the amounts herein appropriated upon the order of the board of trustees signed by the president and attested by the secretary, with the seal of the institution, subject to the provisions of sections eighteen (18), nineteen (19) and twenty (20), of an act to regulate State institutions, approved April 15, 1875,



1. Introduced by Mr. Laning, February 2, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Judicial Department.
3. Reported back February 22, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the publication of the Revised Statutes of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That after the close of this session of the General
3 Assembly all the general statutes of the State which shall be in force on
4 the first day of July next, shall be compiled and published in a volume to
5 be entitled "The Revised Statutes of the State of Illinois, A. D. 1883."

§ 2. The revised acts so published shall be annotated so as to show by
2 proper reference the original acts and sections embraced therein in the same
3 manner and form as published in the Revised Statutes of 1874. The volume
4 shall also contain the several acts, deeds, constitutions and other matter
5 embraced in the Revised Statutes of 1874 on pages numbered one to ninety-
6 five inclusive.

§ 3. The volume hereby provided for shall be compiled, annotated and
2 edited by the Attorney-General of the State, and he shall superintend its
3 publication and prepare a full and complete index to the same. In such
4 compilation he shall observe, as nearly as may be, the alphabetical order of
5 arrangement of the Revised Statutes of the State of Illinois of 1874. All
6 necessary expenses in this work, but not to exceed \$500, shall be paid from
7 the appropriation for public printing.

§ 4. An edition of fifteen thousand copies of said Revised Statutes shall be published and distributed and sold as hereinafter provided. Said edition shall be published on or before October 1, 1883.

§ 5. The printing shall be done by the contractor for the second class of public printing and bound by the State binder. The text shall be in new long primer, and the head notes in nonpareil type. The paper used shall be super-calendared book paper of the weight of fifty pounds to the ream. The size of the pages in said volume shall be as near as may be the same as those of the Revised Statutes of 1874, and shall contain on an average at least as much printed matter per page as said Revised Statutes of 1874: *Provided*, that the contractors for public printing and binding shall receive no more or greater sum for furnishing the paper, doing the printing, and binding the entire edition of said volume than thirteen cents for each one hundred pages contained in said edition. And said volumes, when published, bound and delivered, shall not in any event cost to exceed one dollar and fifty cents per volume.

§ 6. The said volume shall be bound in law sheep, and number twenty-five tar boards with spring backs, and the words "Revised Statutes, Illinois, 1883," shall be appropriately stamped upon the back in gilt letters, and shall in all respects be equal, as to the quality of the work, to the Revised Statutes of 1874.

§ 7. As soon as a sufficient number of said volumes are delivered to the Secretary of State, he shall cause to be distributed in the manner now provided by law, not exceeding eight thousand copies thereof, as follows: One copy to each State officer, one copy to each judge of the Supreme Court, five copies to each Supreme Court library, one copy to each judge of a court of record, one copy to each clerk of a court of record, one copy to each State's attorney, one copy to each justice of the peace, one copy to each police magistrate, all of which shall be for the use of said officers and their successors in office, two copies to each of the charitable, educational and penal institutions of the State, one hundred copies to the State Library, one copy to each college library in this State, one copy to each free public library in the State, on application of the librarian of said library, two

13 copies to the library of Congress, one copy to each State and territorial
 14 library in the United States, one copy to each judge of the United States
 15 circuit or district court in this State.

§ 8. The remainder of said edition shall be distributed among the coun-
 2 ties of the State in proportion to the population, as follows: Immediately upon
 3 the delivery of the volumes in sufficient numbers to the Secretary of State,
 4 five thousand copies thereof shall be so divided and transmitted to the
 5 county clerks of the several counties of the State and by such county
 6 clerks may be sold at two dollars per copy. Each county clerk, upon the
 7 receipt of the volumes sent to him, shall execute receipts therefor in dupli-
 8 cate, one of which he shall immediately transmit to the Secretary of State,
 9 and the other to the Auditor of Public Accounts. Said county clerks shall
 10 keep an account of all sales which they shall make, and on the first Tues-
 11 day in January and July of each year, each of them shall pay to the
 12 county collector of his county the proceeds of such sales, taking the collec-
 13 tor's receipts therefor in triplicate, one of which receipts, together with a state-
 14 ment under oath as to the number of said volumes sold, shall be sent by mail
 15 to the Secretary of State, and one of which shall be transmitted in the same
 16 manner to the Auditor of Public Accounts, and the other shall be filed and
 17 preserved in the county clerk's office. Upon the reception of all such
 18 receipts by the Auditor he shall charge to the county collector the amount
 19 thereof, who shall upon his annual settlement account for and pay over the
 20 same to the State treasurer. When any county clerk goes out of office, having
 21 any number of such volumes in his office, he shall deliver them to his successor
 22 in office, taking his receipt therefor in duplicate, one of which he shall send to
 23 the Secretary of State and the other to the Auditor of Public Accounts, which
 24 shall discharge him from any further accountability for the same.

§ 9. The Secretary of State shall allow the Attorney-General access to the
 2 enrolled laws in his office and the use of such papers and books in his office as
 3 said Attorney-General may require in the performance of his duties in com-
 4 piling, editing and superintending the publication of said statutes.

§ 10. The cost of printing and binding the volumes herein provided for
2 shall be paid out of the appropriations for printing and binding in equal pro-
3 portions and in the manner now provided by law.

1. Introduced by Mr. Laning, February 2, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Judicial Department.
3. Reported back February 23, 1883, passage recommended, and ordered to second reading.
4. Second reading March 14, 1883, and ordered to be referred to Committee on Printing.
5. Reported back March 28, 1883, with amendments, passage recommended, and ordered to a second reading.

AMENDMENTS TO SENATE BILL NO. 158 RECOMMENDED BY THE COMMITTEE
ON PRINTING.

- Amend section 5, line 12, of the printed bill, by striking out the word "fifty," and inserting the
word "forty."
- Amend section 5, by adding thereto the following: "And, provided, further, that no copies
of the edition of Revised Statutes herein contemplated, shall be allowed by the said public
printer to be placed on the market for sale, until the Secretary of State shall first notify said
public printer that all the copies designated hereunder to be sold by the State have been dis-
posed of."
- Amend section 7, line 7, of the printed bill, by inserting after the words "State's Attorney,"
the words "one copy to each sheriff."
- Amend section 5, line 9, of printed bill, by striking out the words "doing the printing," and
inserting the words "doing the composition and printing."

A BILL

For An Act to provide for the publication of the Revised Statutes of the State.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
Assembly: That after the close of this session of the General Assembly, all the general
statutes of the State, which shall be in force on the first day of July next, shall be compiled

and published in a volume, to be entitled "The Revised Statutes of the State of Illinois, A. D., 1883."

§ 2. The revised acts, as published, shall be annotated so as to show by proper reference the original acts and sections embraced therein, in the same manner and form as published in the Revised Statutes of 1874. The volume shall also contain the several acts, deeds, constitutions and other matter embraced in the Revised Statutes of 1874, on pages numbered one to ninety-five inclusive.

§ 3. The volume hereby provided for shall be compiled, annotated and edited by the Attorney-General of the State, and he shall superintend its publication and prepare a full and complete index to the same. In such compilation he shall observe, as nearly as may be, the alphabetical order of arrangement of the Revised Statutes of the State of Illinois of 1874. All necessary expenses in this work, but not to exceed \$400, shall be paid from the appropriation for public printing.

§ 4. An edition of fifteen thousand copies of said Revised Statutes shall be published and distributed and sold as hereinafter provided. Said edition shall be published on or before October 1, 1883.

§ 5. The printing shall be done by the contractor for the second class of public printing, and bound by the State binder. The text shall be in new long primer, and the head notes in nonpareil type. The paper used shall be supercalendared book-paper, of the weight of fifty pounds to the ream. The size of the pages in said volume shall be, as near as may be, the same as those of the Revised Statutes of 1874, and shall contain on an average, at least, as much printed matter per page as said Revised Statutes of 1874: *Provided*, that the contractors for public printing and binding shall receive no more or greater sum for furnishing the paper, doing the printing, and binding the entire edition of said volume than thirteen cents for each one hundred pages contained in said edition. And said volumes, when published, bound and delivered, shall not, in any event, cost to exceed one dollar and fifty cents per volume.

§ 6. The said volume shall be bound in law sheep, and number twenty-five tar boards, with spring backs, and the words "Revised Statutes, Illinois, 1883," shall be appropriately stamped upon the back in gilt letters, and shall in all respects be equal, as to the quality of the work, to the Revised Statutes of 1874.

§ 7. As soon as a sufficient number of said volumes are delivered to the Secretary of State, he shall cause to be distributed, in the manner now provided by law, not exceeding eight thousand copies thereof, as follows: One copy to each State officer, one copy to each judge of the

4 Supreme Court, five copies to each Supreme Court library, one copy to each judge of a court of
 5 record, one copy to each clerk of a court of record, one copy to each State's attorney, one copy
 6 to each justice of the peace, one copy to each police magistrate, all of which shall be for the use
 7 of said officers and their successors in office; two copies to each of the charitable, educational and
 8 penal institutions of the State, one hundred copies to the State library, one copy to each col-
 9 lege library in this State, one copy to each free public library in the State, on application of the
 10 librarian of said library, two copies to the library of Congress, one copy to each State and terri-
 11 torial library in the United States, one copy to each judge of the United States circuit or district
 12 court in this State.

§ 8. The remainder of said edition shall be distributed among the counties of the State in
 2 proportion to the population, as follows: Immediately upon the delivery of the volumes, in
 3 sufficient numbers, to the Secretary of State, five thousand copies thereof shall be so divided
 4 and transmitted to the county clerks of the several counties of the State, and by such county
 5 clerks may be sold at two dollars per copy. Each county clerk, upon the receipt of the volumes
 6 sent to him, shall execute receipts therefore, in duplicate, one of which he shall immediately
 7 transmit to the Secretary of State, and the other to the Auditor of Public Accounts. Said
 8 county clerks shall keep an account of all sales which they shall make, and on the first Tuesday
 9 in January and July, of each year, each of them shall pay to the county collector of his county
 10 the proceeds of such sales, taking the collector's receipts therefor in triplicate, one of which
 11 receipts, together with a statement, under oath, as to the number of said volumes sold, shall be
 12 sent by mail to the Secretary of State, and one of which shall be transmitted in the same man-
 13 ner to the Auditor of Public Accounts, and the other shall be filed and preserved in the county
 14 clerk's office. Upon the reception of all such receipts by the Auditor, he shall charge to the
 15 county collector the amount thereof, who shall, upon his annual settlement, account for and pay
 16 over the same to the State Treasurer. When any county clerk goes out of office, having any
 17 number of such volumes in his office, he shall deliver them to his successor in office, taking his
 18 receipt therefor in duplicate, one of which he shall send to the Secretary of State and the other
 19 to the Auditor of Public Accounts, which shall discharge him from any further accountability
 20 for the same.

§ 9 The Secretary of State shall allow the Attorney General access to the enrolled laws in
 2 his office, and the use of such papers and books in his office as said Attorney General may
 3 require in the performance of his duties in compiling, editing and superintending the publica-
 4 tion of said statutes.

§ 10. The cost of printing and binding the volumes herein provided, for shall be paid out of
the appropriations for printing and binding, in equal proportions, and in the manner now pro-
vided by law.

1. Introduced by Mr. Laning, February 2, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Judicial Department.
3. Reported back February 23, 1883, passage recommended, and ordered to second reading.
4. Second reading March 14, 1883, recommitted to Committee on Printing.
5. Reported back March 23, 1883, with amendments, passage recommended, and ordered to a second reading.
6. Second reading, April 6, 1883, amended, and ordered to a third reading.

A BILL

For An Act to provide for the publication of the Revised Statutes of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That after the close of this session of the General
3 Assembly all the general statutes of the State, which shall be in force on
4 the first day of July next, shall be compiled and published in a volume to
5 be entitled "The Revised Statutes of the State of Illinois, A. D. 1883."

§ 2. The revised acts so published shall be annotated so as to show by
2 proper reference the original acts and sections embraced therein in the same
3 manner and form as published in the Revised Statutes of 1874. The volume
4 shall also contain the several acts, deeds, constitutions and other matter
5 embraced in the Revised Statutes of 1874 on pages numbered one to ninety-
6 five inclusive.

§ 3. The volume hereby provided for shall be compiled, annotated and
2 edited by the Attorney-General of the State, and he shall superintend its
3 publication and prepare a full and complete index to the same. In such
4 compilation he shall observe, as nearly as may be, the alphabetical order of
5 arrangement of the Revised Statutes of the State of Illinois of 1874. All
6 necessary expenses in this work, but not to exceed \$500, shall be paid from
7 the appropriation for public printing.

§ 4. An edition of fifteen thousand copies of said Revised Statutes shall be published and distributed and sold as hereinafter provided. Said edition shall be published on or before October 1, 1898.

§ 5. The printing shall be done by the contractor for the second class of public printing and bound by the State binder. The text shall be in new long primer, and the head notes in nonpareil type. The paper used shall be super-calendared book paper of the weight of fifty pounds to the ream. The size of the pages in said volume shall be as near as may be the same as those of the Revised Statutes of 1874, and shall contain on an average at least as much printed matter per page as said Revised Statutes of 1874: *Provided*, that the contractors for public printing and binding shall receive no more or greater sum for furnishing the paper, doing the composition and printing, and binding the entire edition of said volume than thirteen cents for each one hundred pages contained in said edition. And said volumes, when published, bound and delivered, shall not in any event cost to exceed one dollar and forty cents per volume: *And, provided further*, that no copies of the edition of Revised Statutes herein contemplated shall be allowed by the said public printer to be placed on the market for sale until the Secretary of State shall first notify said public printer that all the copies designed hereunder to be sold by the State, have been disposed of.

§ 6. The said volume shall be bound in law sheep, and number twenty-five tar boards, with springs back, and the words "Revised Statutes, Illinois, 1898," shall be appropriately stamped upon the back in gilt letters, and shall in all respects be equal, as to the quality of the work, to the Revised Statutes of 1874.

§ 7. As soon as a sufficient number of said volumes are delivered to the Secretary of State, he shall cause to be distributed, in the manner now provided by law, not exceeding eight thousand copies thereof, as follows: One copy to each State officer, one copy to each judge of the Supreme Court, five copies to each Supreme Court library, one copy to each judge of a court of record, one copy to each clerk of a court of record, one copy to each State's attorney, one copy to each sheriff, one copy to each justice of the

8 peace, one copy to each police magistrate, all of which shall be for the use
 9 of said officers and their successors in office, two copies to each of the chari-
 10 table, educational and penal institutions of the State, one hundred copies to the
 11 State library, one copy to each college library in this State, one copy to each free
 12 public library in the State on application of the librarian of said library, two
 13 copies to the library of Congress, one copy to each State and territorial
 14 library in the United States, one copy to each judge of the United States
 15 circuit or district court in this State.

§ 8. The remainder of said edition shall be distributed among the coun-
 2 ties of the State in proportion to the population, as follows: Immediately upon
 3 the delivery of the volumes in sufficient numbers to the Secretary of State,
 4 five thousand copies thereof shall be so divided and transmitted to the
 5 county clerks of the several counties of the State, and by such county
 6 clerks may be sold at two dollars per copy. Each county clerk, upon the
 7 receipt of the volumes sent to him, shall execute receipts therefor in dupli-
 8 cate, one of which he shall immediately transmit to the Secretary of State,
 9 and the other to the Auditor of Public Accounts. Said county clerks shall
 10 keep an account of all sales which they shall make, and on the first Tues-
 11 day in January and July of each year, each of them shall pay to the
 12 county collector of his county the proceeds of such sales, taking the collec-
 13 tor's receipts therefore in triplicate, one of which receipts, together with a state-
 14 ment under oath as to the number of said volumes sold, shall be sent by mail
 15 to the Secretary of State, and one of which shall be transmitted in the same
 16 manner to the Auditor of Public Accounts, and the other shall be filed and
 17 preserved in the county clerk's office. Upon the reception of all such
 18 receipts by the Auditor he shall charge to the county collector the amount
 19 thereof, who shall, upon his annual settlement, account for and pay over the
 20 same to the State treasurer. When any county clerk goes out of office having
 21 any number of such volumes in his office, he shall deliver them to his successor
 22 in office, taking his receipt therefor in duplicate, one of which he shall send to
 23 the Secretary of State and the other to the Auditor of Public Accounts, which
 24 shall discharge him from any further accountability for the same.

§ 9. The Secretary of State shall allow the Attorney-General access to the
2 enrolled laws in his office and the use of such papers and books in his office as
3 said Attorney-General may require in the performance of his duties in com-
4 piling, editing and superintending the publication of said statutes.

§ 10. The cost of printing and binding the volumes herein provided for
2 shall be paid out of the appropriations for printing and binding, in equal pro-
3 portions, and in the manner now provided by law.

1. Reported to House April 7, 1863.
2. First reading April 30, 1863, and referred to Committee on Judiciary.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading, May 25, 1863.

Committee Amendments to Senate Bill No. 158.

Amendment to Section 1: Strike out all after "Assembly," in line two, and insert

as follows:

"That within twenty days after the passage of this act, the Secretary of State shall advertise for bids for furnishing to the State, fifteen thousand (15,000) volumes of the 'Revised Statutes of Illinois' which may be in force on the first day of July, A. D. 1863, (said advertisement shall be published for one week in two daily newspapers printed in Chicago, and one daily newspaper printed in Springfield, Illinois), and let the contract for furnishing said volumes of Revised Statutes to the lowest responsible bidder, which contract shall be approved by the Governor."

Strike out sections 4, 5 and 6, and in lieu thereof insert the following, which shall be section 4:

"Section 4. The text of the volumes, the size of the pages, the paper and the binding shall in all respects be equal, as to the quality of the work thereon, to that of the 'Revised Statutes of Illinois' of 1874; and said volumes when fully completed and bound shall not, in any event, cost to exceed one dollar and forty cents each, and the same shall be delivered to the Secretary of State on or before November 1st, 1863."

Change sections 7, 8, 9 and 10 so they shall be sections 5, 6, 7, and 8.

A BILL

For An Act to provide for the publication of the Revised Statutes of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That after the close of this session of the General Assembly all the general statutes of the State, which shall be in force on the first day of July next, shall be compiled and published in a volume to be entitled "The Revised Statutes of the State of Illinois, A. D. 1888."

§ 2. The revised acts so published shall be annotated so as to show by proper reference the original acts and sections embraced therein in the same manner and form as published in the Revised Statutes of 1874. The volume shall also contain the several acts, deeds, constitutions and other matter embraced in the Revised Statutes of 1874 on pages numbered one to ninety-five inclusive.

§ 3. The volume hereby provided for shall be compiled, annotated and edited by the Attorney-General of the State, and he shall superintend its publication and prepare a full and complete index to the same. In such compilation he shall observe, as nearly as may be, the alphabetical order of arrangement of the Revised Statutes of the State of Illinois of 1874. All necessary expenses in this work, but not to exceed \$500, shall be paid from the appropriation for public printing.

§ 4. An edition of fifteen thousand copies of said Revised Statutes shall be published and distributed and sold as hereinafter provided. Said edition shall be published on or before October 1, 1888.

§ 5. The printing shall be done by the contractor for the second class of public printing and bound by the State binder. The text shall be in new long primer, and the head notes in nonpareil type. The paper used shall be super-calendared book paper of the weight of fifty pounds to the ream. The size of the pages in said volume shall be as near as may be the same as those of the Revised Statutes of 1874, and shall contain on an average a

7 least as much printed matter per page as said Revised Statutes of 1874:
 8 *Provided*, that the contractors for public printing and binding shall receive
 9 no more or greater sum for furnishing the paper, doing the composition and
 10 printing, and binding the entire edition of said volume than thirteen cents
 11 for each one hundred pages contained in said edition. And said volumes, when
 12 published, bound and delivered, shall not in any event cost to exceed one
 13 dollar and forty cents per volume: *And, provided further*, that no copies of
 14 the edition of Revised Statutes herein contemplated shall be allowed by the said
 15 public printer to be placed on the market for sale until the Secretary of State
 16 shall first notify said public printer that all the copies designed hereunder to
 17 be sold by the State, have been disposed of.

§ 6. The said volume shall be bound in law sheep, and number twenty-
 2 five tar boards, with spring backs, and the words "Revised Statutes, Illinois,
 3 1888," shall be appropriately stamped upon the back in gilt letters, and
 4 shall in all respects be equal, as to the quality of the work, to the Revised
 5 Statutes of 1874.

§ 7. As soon as a sufficient number of said volumes are delivered to the
 2 Secretary of State, he shall cause to be distributed, in the manner now pre-
 3 vided by law, not exceeding eight thousand copies thereof, as follows: One
 4 copy to each State officer, one copy to each judge of the Supreme Court,
 5 five copies to each Supreme Court library, one copy to each judge of a
 6 court of record, one copy to each clerk of a court of record, one copy to
 7 each State's attorney, one copy to each sheriff, one copy to each justice of the
 8 peace, one copy to each police magistrate, all of which shall be for the use
 9 of said officers and their successors in office, two copies to each of the chari-
 10 table, educational and penal institutions of the State, one hundred copies to the
 11 State library, one copy to each college library in this State, one copy to each free
 12 public library in the State on application of the Librarian of said library, two
 13 copies to the library of Congress, one copy to each State and territorial
 14 library in the United States, one copy to each judge of the United States
 15 circuit or district court in this State.

§ 8. The remainder of said edition shall be distributed among the counties of the State in proportion to the population, as follows: Immediately upon the delivery of the volumes in sufficient numbers to the Secretary of State, five thousand copies thereof shall be so divided and transmitted to the county clerks of the several counties of the State, and by such county clerks may be sold at two dollars per copy. Each county clerk, upon the receipt of the volumes sent to him, shall execute receipts therefor in duplicate, one of which he shall immediately transmit to the Secretary of State, and the other to the Auditor of Public Accounts. Said county clerks shall keep an account of all sales which they shall make, and on the first Tuesday in January and July of each year, each of them shall pay to the county collector of his county the proceeds of such sales, taking the collector's receipts therefor in triplicate, one of which receipts, together with a statement under oath as to the number of said volumes sold, shall be sent by mail to the Secretary of State, and one of which shall be transmitted in the same manner to the Auditor of Public Accounts, and the other shall be filed and preserved in the county clerk's office. Upon the reception of all such receipts by the Auditor he shall charge to the county collector the amount thereof, who shall, upon his annual settlement, account for and pay over the same to the State treasurer. When any county clerk goes out of office having any number of such volumes in his office, he shall deliver them to his successor in office, taking his receipt therefor in duplicate, one of which he shall send to the Secretary of State and the other to the Auditor of Public Accounts, which shall discharge him from any further accountability for the same.

§ 9. The Secretary of State shall allow the Attorney-General access to the enrolled laws in his office and the use of such papers and books in his office as said Attorney-General may require in the performance of his duties in compiling, editing and superintending the publication of said statutes.

§ 10. The cost of printing and binding the volumes herein provided for shall be paid out of the appropriations for printing and binding, in equal portions, and in the manner now provided by law.

1. Introduced by Mr. Mason, February 2, 1883, and ordered to first reading.
2. First reading February 2, 1883, and referred to Committee on Insurance.
3. Reported back February 22, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to protect persons interested in policies of life insurance.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That every policy issued upon the life of, and delivered
3 to any person in this State, by any life insurance company, shall contain
4 conditions expressed in the following language:

5 1. When, after two full annual premiums shall have been paid on this
6 policy, it shall cease or become void solely by the non-payment of any pre-
7 mium when due, its entire net reserve by the American experience mortality,
8 and interest at four per cent., yearly, less any indebtedness to the company
9 on this policy, shall be applied by the company as a single premium at the
10 company's rates published and in force at this date; either, *first*, to the pur-
11 chase of non-participating term insurance for the full amount insured by
12 this policy; or, *second*, upon the written application by the owner of this
13 policy, and the surrender thereof to said company within three months from
14 such non-payment of premium, to the purchase of a non-participating paid-
15 up policy, payable at the time this policy would be payable if continued in
16 force. Both kinds of insurance aforesaid will be subject to the same condi-
17 tions, except as to payment of premiums, as those of this policy. No part,
18 however, of such term insurance shall be due or payable unless satisfactory
19 proofs of death be furnished to the company within one year after death,
20 and, if death shall occur within three years after such non-payment of pre-

21 mium and during such term of insurance, there shall be deducted from the
 22 amount the sum of all the premiums that would have become due on this
 23 policy if it had continued in force. [In endowment policies the following
 24 must be added to the above:] If the reserve be more than enough to pur-
 25 chase temporary insurance, as aforesaid, to the end of the endowment term,
 26 the excess shall be applied to the purchase of pure endowment insurance,
 27 payable at the end of the term, if the insured be then living.

28 2. After three years from the date hereof, if the premiums on this policy
 29 shall be duly paid at the times and place, and in the manner herein stipu-
 30 lated, the liability of this company, under this policy, shall not be disputed.

31 3. At the end of five years from the date hereof, or at the end of each
 32 year thereafter, this policy having been in force during such entire period
 33 or periods, this company will pay a cash value therefor of not less than
 34 ninety per cent. of its entire net reserve, according to the American experi-
 35 ence mortality, and interest at four per cent., yearly, together with any divi-
 36 dends that may stand to the credit of the policy; such cash value to be
 37 payable at its said office upon the surrender hereof within thirty days after
 38 the end of either such period, this policy to be first released and discharged
 39 to the satisfaction of said company.

§ 2. This act shall not apply to any corporations contemplated by section
 2 81 of an act entitled "An act concerning corporations," approved April 18,
 3 1872; nor to non-participating term life policies to run not more than ten
 4 years, originally issued as such.

§ 3. Conditions 1 and 3 of section 1 of this act shall not apply to tontine
 2 insurance during the tontine period, reference being had to tontine policies
 3 as issued, during the year 1882, by "The Equitable Life Assurance Society
 4 of the United States," "The New York Life Insurance Company," and "The
 5 Northwestern Mutual Life Insurance Company," or other tontine policies
 6 that may hereafter be issued by these or other companies, containing, sub-
 7 stantially, the tontine features in the policies of said companies specifically
 8 named herein.

§ 4. Within thirty days after the passage of this act, it shall be the duty
2 of the Auditor of Public Accounts to forward a copy of the same to every
3 life insurance company permitted to do business in this State, requesting
4 conformity therewith, and every company refusing or neglecting to comply
5 with the terms and conditions of this act, after it shall have taken effect,
6 shall be prohibited from issuing policies upon the lives of, and delivering
7 the same to, persons in this State.

§ 5. This act shall take effect on the first day of July, A. D. 1883. Any
2 acts or parts of acts conflicting with this act, are hereby repealed.

1. Introduced by Mr. Evans, February 2, 1883, and ordered to first reading.
 2. First reading February 2, 1883, and referred to Committee on Corporations.
 3. Reported back February 16, 1883, with amendment, passage recommended, and ordered to second reading.
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For "An Act to define and regulate the giving of proxies or powers of attorney in incorporated companies of this State, and the use thereof at the meetings of the stockholders of said companies."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That at the meetings of stockholders of any corporation
3 organized under the laws of this State, only proxies, or powers of attorney to
4 represent and vote upon stock executed by actual bona fide owners of such
5 stock, shall be used or recognized as valid, except in cases of guardians of
6 minors and executors of estates, or other cases of actual disability on the
7 part of the bona fide owners.

§ 2. All voting upon proxies or by virtue of powers of attorney given by
2 syndicates or agencies, or persons or combinations of persons holding stock
3 upon deposit or upon conditional purchases, or for purposes of speculation, or
4 by way of pledge or security for moneys owing to them or obligations given
5 by them, is hereby forbidden, and all votes offered at any meeting of the
6 stockholders of any corporation organized under the laws of this State,
7 under and by virtue of such proxies or powers of attorney, shall, if objected
8 to by any stockholders, be rejected, and shall not be considered in deter-
9 mining the result of the action of the stockholders at such meeting of
10 stockholders.

§ 3. All proxies or powers of attorney to vote upon the stock of any corporation organized under the laws of this State, at any meeting of the stockholders thereof, which have been or may be procured by solicitation, purchase or under influence of any kind, shall be absolutely void, and all votes tendered at such meeting under and by virtue of proxies or powers of attorney so obtained shall, upon the objection of any stockholder, be wholly rejected, and the same shall not be counted or considered in determining the action of such meeting.

§ 4. Whereas, the provisions hereof are deemed important to the welfare of many corporations organized under the laws of this State, and to the interest of the people connected therewith, and that the same should be in force in respect to meetings of the stockholders of such corporations presently to take place; therefore, it is declared that an emergency exists, and that this act shall take effect and be in force from and after its passage.

AMENDMENT TO SENATE BILL 162, RECOMMENDED BY THE COMMITTEE ON CORPORATIONS.

Amend by striking out all of section 4.

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1. Introduced by Mr. Mason, February 5, 1883, and ordered to first reading.
 2. First reading February 5, 1883, and referred to Committee on Judiciary.
 3. Ordered, at request of Committee, that 100 copies be printed for use of Committee.
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A BILL

For An Act to prevent fraudulent preferences on the part of insolvent debtors, and debtors contemplating insolvency, and to provide for an equitable distribution among creditors of the property and effects such debtors have disposed of, or incumbered in effecting such preferences.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That any disposition of property by any person who is
3 insolvent or in contemplation of insolvency, and every charge or lien caused,
4 suffered, or procured thereon, directly or indirectly, by act of the debtor,
5 and every payment of money or other valuable thing by him, and all judg-
6 ments confessed by such debtor, by warrant of attorney or otherwise, with
7 the intent on the part of such debtor to give a preference to any one or
8 more of his creditors, or to any person who is under any liability, actual or
9 contingent, for, or on account of such debtor, shall be void, as against the
10 other creditors of such debtor; and the money so paid and property so trans-
11 ferred or disposed of, or the value thereof, may be recovered, or the lien or
12 charge so created may be set aside in the manner hereinafter prescribed:
13 *Provided,* the creditor or other person for whose benefit such preference was
14 made or intended, had, at the time of receiving or obtaining the same,
15 reasonable cause to believe that the debtor was insolvent, or contemplated
16 insolvency, or intended such preference: *Provided, also,* that the proceedings
17 to set aside such preference shall be commenced in the manner and within
18 the time prescribed in the next section of this act.

§ 2. Any creditor or creditors, at any time within the three months next
2 after the making, causing, suffering or procuring of such preference, may
3 bring suit in equity, in the proper county, to recover the property or the
4 value thereof so transferred or disposed of by such debtor, with the intent
5 aforesaid, and to set aside any lien or charge made thereon by such debtor
6 with the intent aforesaid, and to recover any money paid by such debtor
7 with the intent aforesaid, and to have the money and the proceeds of such
8 property which shall be recovered in such suit distributed *pro rata* to all of
9 the creditors of such debtor, except such as have taken or received such
10 preference; and such suit shall be prosecuted according to the statute, rules,
11 and practice governing suits in equity; and writs of injunction may be
12 issued in such suit to prevent the loss, waste, destruction, disposition, or
13 conversion of the property in controversy during the pendency of the suit,
14 or to prevent any other act that would impair the rights of the plaintiff; and
15 the court or any judge thereof, and in the absence of the judge from the
16 county, any master in chancery of the court, may also direct the issuing of
17 one, or more special writs of attachment in the same suit, in aid thereof,
18 against the property sought to be recovered in said suit, directed to the
19 sheriff of the county in which such property or any part thereof is situate,
20 under which such property may be seized to abide the event of the suit.
21 Before such writ of attachment shall issue, the plaintiff or some one in his
22 behalf shall execute and file with the clerk of the court, a bond, to the
23 defendant claiming the property, with sufficient surety, to be approved by
24 the clerk, for such sum as the court or such judge or master in chancery
25 shall order, with the condition that the plaintiff shall pay all costs, expenses
26 and damages which the defendant may incur or sustain by reason of the
27 seizure of the property under said writ of attachment in case the court
28 should not decree the transfer of the property to the defendant void. The
29 person in whose possession the property attached shall be found may retain
30 the same until the final decree in said suit, on giving bond with sufficient
31 sureties, to be approved by the sheriff, in double the value of the property,
32 with the condition that the property shall be delivered to the sheriff or

33 receiver, in case the court decrees that the transfer of the property by the
34 debtor is void for any cause specified in this act.

§ 3. Whenever it appears, to the satisfaction of the court, that the property
2 seized under such writ of attachment or any part thereof is of a perish-
3 able nature, or liable to deteriorate in value, the court may order the same
4 to be sold, in such manner as may be deemed most expedient, under the
5 direction of the sheriff or receiver, as the case may be, who shall hold the
6 funds received in place of the property disposed of, and the proceeds of the
7 sale shall be considered the measure of the value of the property in any
8 suit or controversy between the parties in any court.

§ 4. The claims of creditors other than the plaintiff in such suit shall be
2 proved in such manner as the court or any judge thereof, or in the case of
3 the absence of the judge from the county, any master in chancery of such
4 court shall direct, and any creditor may contest the validity of the claim of
5 any other creditor. And before any claim shall be allowed, the creditor
6 shall file a stipulation entitled in the cause, to the effect that he is bound
7 by the conditions of the bond that has been given or any bond that may
8 thereafter be given upon the issuing of any attachment in said proceeding,
9 and shall contribute his *pro rata* share of the costs and expenses of the
10 prosecution of said proceedings, or secure the same in some manner satis-
11 factory to the plaintiff. And all creditors whose claims are allowed in such
12 proceeding shall be jointly liable with the plaintiff and his surety or sure-
13 ties, upon any attachment bond that has been or may be given in such
14 proceeding. And such bond shall be considered the joint and several bond
15 of the plaintiff and his surety or sureties, and each of such other creditors
16 whose claims are allowed in the proceeding.

§ 5. All liquidated demands due and payable from the debtor at the
2 time of the commencement of proceedings under this act, or then existing and
3 payable at a future day, a rebate of interest being made when no interest
4 is payable by the terms of the contract, may be proved and allowed in such
5 proceedings after deducting any demand due the defendant by way of set
6 off or recoupment; and any creditor having a claim so provable as aforesaid

7 for not less than one hundred dollars, above all demands due the defendant
8 of the nature above mentioned, may bring suit in the manner and for the
9 purposes prescribed in this act.

§ 6. In case the defendant interposes any defense to the allowance of the
2 claim of any creditor other than the plaintiff, the court shall direct such
3 creditor to file appropriate pleadings for setting forth his cause of action as
4 at common law, and the defendant to set forth his defense by appropriate
5 pleas. The issue thus formed shall be tried by a jury at any regular term
6 of the court, but the distribution of any money or the proceeds of any
7 property recovered in such proceeding shall not be delayed on account of
8 any controversy between the debtor, and any one or more of his creditors,
9 or between creditors, as to the allowance of any claim, but the court may
10 order a sufficient sum to be kept in reserve to pay the *pro rata* share to
11 which any disputed claim may be entitled, should it be finally substantiated
12 and allowed, and the distribution of funds as to other creditors shall pro-
13 ceed as if there was no dispute as to the amount due to any creditor.

§ 7. The court, in any case where it shall deem best, shall appoint a
2 receiver to take charge of the property in controversy pending the litiga-
3 tion, and to convert the same into money, or to distribute any money that
4 may be recovered in such suit, and all moneys and proceeds of all property
5 recovered in such suit shall be distributed in the manner following, to-wit:

6 1. There shall be paid to the plaintiff all reasonable and necessary
7 costs and expenses paid or incurred by him in the prosecution of the suit.

8 2. The residue to be divided *pro rata* among all creditors of such
9 debtor in the proportion that the claim of each creditor allowed in the suit
10 bears to the whole amount of the claims of the plaintiff and other creditors
11 allowed therein, excepting those who have received such preference and who
12 shall comply with the provision of this act.

§ 8. The plaintiff in such proceeding, and other creditors whose claims
2 are proved and allowed therein by the court, shall, as between themselves,
3 be liable *pro rata* for all costs, expenses and damages that may be incurred
4 in the prosecution of such proceedings, or the seizure of any property

5 therein, in such proportion as the claim of each is to the amount of the
 6 claims proved and allowed in the proceeding, and if either pays, or is com-
 7 pelled to pay, more than his *pro rata* share of such costs, expenses or dam-
 8 ages, he shall be allowed to recover the excess by action at law.

§ 9. Neither the pendency of any suit brought under this act, nor the
 2 proof and allowance of any claim in favor of any creditor therein, shall
 3 abate any suit brought against the debtor upon the same demand.

§ 10. In all proceedings under this act entry of judgment on confession
 2 by warrant of attorney, or otherwise, shall be deemed the act of the debtor,
 3 and shall be deemed to have been done by him at the time of the entry of
 4 judgment without regard to the date of the warrant of attorney or authority
 5 for the entry thereof.

§ 11. In all proceedings under this act any person who is unable to pay
 2 his debts as they mature and become due and payable in the ordinary
 3 course of business, shall be deemed insolvent within the meaning of this
 4 act.

§ 12. In all proceedings under this act every payment of money and
 2 every disposition of property made by a person who is insolvent or in con-
 3 templation of insolvency, out of the usual and ordinary course of the busi-
 4 ness of such person, and every judgment entered on confession against such
 5 person, shall be deemed *prima facie* evidence of an intention on the part of
 6 such person to give a preference to the person to whom or for whose benefit
 7 such payment of money or disposition of property was made, or to the person
 8 in whose favor or for whose benefit such judgment was confessed; and of
 9 knowledge and notice on the part of the person receiving or to be benefited
 10 by such payment or disposition of property, or in whose favor or for whose
 11 benefit such judgment was confessed.

§ 13. Whereas, there is no law by which fraudulent preferences in favor
 2 of one or more creditors by insolvent debtors, or debtors contemplating
 3 insolvency, may be set aside and by which an equitable and just division

4 may be made among creditors of the property and effects such debtors have
5 disposed of or incumbered in effecting such preferences, and therefore an
6 emergency exists, and this law shall be in force from and after its passage.

1. Introduced by Mr. Merritt, February 5, 1883, and ordered to first reading.
2. First reading February 5, 1883, and referred to Committee on Appropriations.
3. Reported back February 8, 1883, passage recommended, and ordered to second reading,

A BILL

For An Act to allow Jacob O. Chance, the sum of seventy-five dollars, due him as librarian of the southern grand division of the supreme court of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That there is hereby allowed to Jacob O. Chance, libra-
3 rian for the southern grand division of the supreme court of said State, the
4 sum of seventy-five dollars. The said sum being due to the said Chance
5 because of his services as such librarian from the 31st day of March A. D.
6 1881, to the 30th day of June, A. D. 1881.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his
2 warrant, payable out of any moneys in the State treasury, not otherwise
3 appropriated, in favor of the said Jacob O. Chance, for the amount herein
4 allowed, whenever he, the said Chance, shall present his said claim, and the
5 same is certified to be correct by any two of the judges of the supreme
6 court of the State of Illinois.

§ 3. Whereas, the above sum of money, herein appropriated, has long
2 since been due and payable, therefore an emergency exists, and this act
3 shall take effect and be in force from and after its passage.



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1. Reported to House, February 13, 1883.
 2. First reading March 10, 1883, and referred to Committee on Appropriations.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.
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A BILL

For An Act to allow Jacob O. Chance, the sum of seventy-five dollars, due him as librarian of the Southern Grand Division of the Supreme Court of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby allowed to Jacob O. Chance, librarian for the Southern Grand Division of the Supreme Court of said State, the sum of seventy-five dollars. The said sum being due to the said Chance, because of his services as such librarian from the 31st day of March, A. D. 1881, to the 30th day of June, A. D. 1881.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant, payable out of any moneys in the State Treasury, not otherwise appropriated, in favor of the said Jacob O. Chance, for the amount herein allowed, whenever he, the said Chance, shall present his said claim, and the same is certified to be correct by any two of the judges of the Supreme Court of the State of Illinois.

§ 3. Whereas the above sum of money, herein appropriated, has long since been due and payable, therefore an emergency exists, and this act shall take effect and be in force, from and after its passage.



1. Introduced by Mr. Whiting, February 6, 1883, and ordered to first reading.
2. First reading February 8, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Ordered February 8, 1883, that 1,000 copies be printed for use of Senate.

A BILL

For An Act in regard to roads and bridges in counties under township organization, and to repeal an act therein named,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all roads in this State which have been laid out in pursuance of any law of this State, or of the territory of Illinois, or which have been established by dedication or used for twenty years, and which have not been vacated in pursuance of law, are hereby declared to be public highways.

§ 2. The commissioners of highways shall have charge of the roads and bridges of their respective towns, and it shall be their duty to keep the same in repair and to improve them so far as practicable. Whenever the available means at their disposal will permit, they shall construct permanent roads, beginning where most needed and extending the same. The work on roads shall be done timely and in accordance with the best known methods of road-making, by proper grading and thorough drainage by tile or otherwise, as may be expedient, and by the application of gravel, rock, or other material.

§ 3. In order to insure efficiency, they may employ a general superintendent outside their own body to work and to execute their orders; or they may divide their work, let contracts, appoint overseers, or employ such other agencies as they may deem expedient and most to the interest of the town.

§ 4. In letting contracts, employing labor, or in purchasing tools, machinery or materials, the commissioners shall not have directly or indirectly any personal pecuniary interest in connection therewith.

§ 5. Their duties shall include:

1. To lay out, alter, widen, or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.

2. To cause such roads used as highways as have been laid out or dedicated to public use but not sufficiently described, and such as have been used for twenty years, but not recorded, to be ascertained, described and entered of record in the town clerk's office.

3. To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.

4. To take possession of and keep all scrapers, plows and other tools belonging to their towns wherever the same may be found, and not allow the same to go to waste, and not lend the same except to persons employed by them to work the roads, by contract or otherwise.

5. To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, a post and guide board, with plain inscription thereon, in letters and figures, giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cockle-burs, mustard, yellow-dock, Indian mallow and gympeon weed from seeding, and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway, so far as the same may obstruct public travel; and the said highway commissioners may, at their discretion, sink and construct wells, with a suitable pump or other suitable fixture and a water-trough attached thereto, and keep the same in repair for public use, for watering teams, at the intersection of the most important roads in their towns; and they may also adopt any other suitable and convenient mode of supplying water in troughs conveniently situated on the public highways for public use, at other points than at such intersections, and the cost of such improvements shall be paid out of the road and bridge fund of such town.

§ 6. Whenever the commissioners are about to lay a tile drain along a public road they shall have power, for a just consideration, to contract with the owners or occupants of adjoining lands to lay larger tile than would be neces-

4 sary to drain the road, and to permit connection therewith by such contracting
5 parties to drain their lands.

§ 7. Where willow hedges, or a line of willow trees have been planted along
2 the margin of the road, so as to render tiling impracticable, the commissioners
3 may contract for their destruction; and the planting of these trees hereafter
4 on the margin of roads where a tile drain has been laid, or is about to be laid,
5 is hereby declared a public nuisance.

§ 8. (Ditches.) The commissioners of highways of the several towns are
2 hereby authorized to enter upon any land adjacent to any highway in their
3 town for the purpose of opening any ditch, drain, necessary sluice or water
4 course, whenever it shall be necessary to open a water course from any high-
5 way to the natural water courses, and to dig, open and clean ditches upon
6 said land for the purpose of carrying off the water from said highways, or to
7 drain any slough or pond on said highway: *Provided*, that unless the owner
8 of such land or his agent shall first consent to the cutting of such ditches, the
9 commissioner shall apply to any justice of the peace in the county in which
10 such road is situated, for a summons, directed to any constable of said county,
11 commanding him to summon the said owner to appear before the said justice,
12 at a time and place specified in such summons, not less than five nor more than
15 fifteen days from the date thereof, for the purpose of having the damage
16 assessed which such owner may sustain by reason of the digging or opening
17 of such ditches or drains. The said summons shall be under the hand of such
18 justice, and be served in the same manner as a summons is now served in civil
19 actions before justices of the peace. On the return of such summons, a venire
20 shall be issued for a jury, as in other cases in the trial of civil actions before
21 justices of the peace, which jury shall assess such damages and render a ver-
22 dict therefor, which shall be final and conclusive, of the amount of damages
23 sustained by such person, and the amount so awarded shall be audited, levied
24 and collected in the same manner provided in section — of this act, and the
25 commissioner of highways shall be warranted, and are hereby empowered to
26 enter such lands and dig, open and clean such drains, ditches and water
27 courses as aforesaid, for the purposes contemplated in this act, and are fur-

28 ther authorized to use and employ the road labor and money of their town
 29 for such purposes: *Provided*, that in case the owner of said lands is a non-
 30 resident, service may be had by leaving a copy with the occupant or agent,
 31 or by notice in the same manner as prescribed in section — of this act.

§ 9. In grading roads, whenever practicable it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and it shall be unlawful to ride or drive on such walk, and any person so
 4 offending shall be subject to a fine of five dollars for each offense. Corner
 5 stones marking sectional or other corners, shall not be disturbed, except to so
 6 grade the road that these, if in the line of travel, shall not rise above the
 7 surface.

§ 10. The commissioners shall meet soon as practicable after the annual town
 2 meeting, to consult on their duties and how best to exercise their powers as
 3 enumerated in section three (3) of this act.

§ 11. At this meeting they shall make out and deliver to their treasurer, on
 2 or before the first day of May of each year, a list of able-bodied men in their
 3 town, between the ages of twenty-one and fifty years, and assess against each
 4 person upon such list the sum of one dollar as a poll tax for highway purposes,
 5 to be paid to such treasurer by the first Monday in July of each year: *Provided*,
 6 that paupers, idiots, lunatics and such others as are exempt by law, shall not be
 7 compelled to pay a poll tax for highway purposes: *Provided, also*, that this list
 8 shall not include persons within the limits of cities and incorporated villages.
 9 They shall, within thirty days after such list is delivered to their treasurer,
 10 cause written or printed notices to be given to each person so assessed, notifying
 11 him of the time when and the place where such tax must be paid or its equiva-
 12 lent in labor performed, and if this poll tax shall not be paid nor the labor
 13 performed by the first Monday of July in such year, or within ten days after
 14 notice is given after that time, it shall be the duty of the highway commie-
 15 sioners, in the name of the town, to bring suit therefor against such person,
 16 before some justice of the peace having jurisdiction.

§ 12. (Justice to issue summons.) The justice to whom such complaint shall
 2 be made shall forthwith issue a summons, directed to any constable of the

3 county, requiring him to summons such delinquent to appear within five days
4 before such justice, according to law, for such refusal or neglect.

§ 13. (Trial.) On the day of trial the justice shall proceed to hear and
2 determine the case according to law, for the offense complained of, and shall
3 forthwith issue an execution under his hand and seal, directed to any constable
4 of the county where such delinquent shall reside, commanding him to levy such
5 fine, with the costs of the proceeding of the goods and chattels of such
6 delinquent.

§ 14. (Fine.) The constable to whom such execution shall be delivered, shall
2 forthwith collect the moneys therein mentioned. He shall pay the fine, when
3 collected, to the justice of the peace who issued the execution, who is hereby
4 required to pay the same to the treasurer of the road and bridge fund.

§ 15. The commissioners shall also meet semi-annually on the same day and
2 at the same place of the meeting of the board of town auditors. At the meeting
3 immediately preceding the annual meeting of the county board the commis-
4 sioners shall determine what per cent. shall be levied on the property of the
5 town for roads and bridges, which levy shall not exceed sixty cents on each one
6 hundred dollars of valuation as assessed the current year, and as it may be
7 finally equalized.

§ 16. If, in the opinion of the commissioners, a larger levy is needed in view
2 of some contingency, they may certify the same to the town board, consisting
3 for this purpose of the supervisor, town clerk, assessor and the two justices of
4 the peace, a majority of whom shall be a quorum, and with the consent of any
5 three of this town board, given in writing, an additional levy may be made of
6 any sum not exceeding forty cents on the one hundred dollars of the property
7 of the town and valuation as before named. The supervisor shall submit the
8 levy as finally determined to the county board at their annual meeting, and
9 this board shall cause the same to be extended on the proper tax books, in
10 separate columns, against each tax-payer's name

§ 17. When damages have been allowed for laying out, altering, widening or
2 vacating roads, the amount shall be raised in the first tax levy after these
3 damages have been allowed or rendered, and the supervisor shall also report

4 this to be levied by the county board on the proper town in like manner as the
 5 road and bridge tax; but it shall constitute a separate fund, to be received by
 6 the treasurer of the commissioners and paid by him, on the order of the town
 7 clerk, to the several persons entitled to the same.

§ 18. Where damages have been allowed or awarded by a jury as provided
 9 in section 8 of this act, by reason of ditching to drain a public road, the amount
 8 so awarded shall be included in the levy for road damages as provided in the
 4 last preceding section, and when collected the treasurer shall pay the same to
 5 the person or persons entitled to it on the order of the town clerk.

§ 19. Whenever damages have been allowed for roads or ditches, the com-
 2 missioners may draw orders on the treasurer payable when the money is col-
 3 lected or received, with interest not exceeding eight per cent., to be given to
 4 persons damaged, or sold for money to liquidate such damages.

§ 20. At the semi-annual meeting immediately preceding the annual town
 2 meeting, the commissioners shall meet, and report to the board of town auditors
 3 in writing:

- 4 1. The amount of poll-tax assessed and the part worked out, how much
 5 paid in money, and how much delinquent.
- 6 2. The amount of road and bridge money received by the town, and a full
 7 and detailed statement as to how and where expended, and the balance, if
 8 any, unexpended.
- 9 3. The amount raised for damages in laying out, altering, widening, or
 10 vacating roads.
- 11 4. Any additional matter concerning the roads and bridges of the town
 12 they may think expedient and proper to make.

§ 21. When it is necessary to construct or repair any bridge over a stream,
 2 or to construct or repair any other distinct and expensive work on a public road
 3 in any town, or on, or near to, or across a town line, in which work the town is
 4 wholly or in part responsible, and the cost of which will be more than twenty
 5 cents on the one hundred dollars on the latest assessment roll, and the levy of
 6 the road and bridge tax for that year in said town was for the full amount
 7 allowed by law for the commissioners to raise, the major part of which is

8 needed for the ordinary repair of roads and bridges, the commissioners may
 9 petition the county board for aid; and if the foregoing facts shall appear, the
 10 county board shall appropriate from the county treasury a sum sufficient to
 11 meet one-half the expenses of the said bridge or other work, on condition that
 12 the town asking aid shall furnish the other half of the required amount. The
 13 expenditure of these joint funds shall be made by the commissioners, and two
 14 persons appointed by the board of supervisors, and any surplus funds, after the
 15 completion of the work, shall be paid into, or lapse into the county treasury.

§ 22. When the commissioners of highways desire to expend on any bridge
 2 or other distinct and expensive work a larger sum of money than is available
 3 to them by other means, the said commissioners may petition the supervisor of
 4 the town to call a special town meeting to vote on the proposition, which shall
 5 be clearly stated in the petition substantially as follows: "To borrow \$———
 6 to construct or repair, [describe the bridge or other work]," which said petition
 7 shall be signed by said commissioners in their official capacity and by at least
 8 twenty-five freeholders of such town, and thereupon such petition shall be filed
 9 in the office of the town clerk of such town. Upon the filing of said petition,
 10 the supervisor shall order the town clerk, by an instrument in writing to be
 11 signed by him, to post up in four of the most public places in said town, notices
 12 of such special town meeting; which notice shall state the object, time and
 13 place of meeting, and the manner in which the voting is to be had, which shall
 14 invariably be by ballot, and shall be "For borrowing money to [here define the
 15 purpose]" or, "Against borrowing money [here define the purpose]." The
 16 special town meeting shall be held and returns thereof made in the same man-
 17 ner as other special town meetings are now or may hereafter be provided by
 18 law; and if it shall appear that a majority of the legal voters voting at said
 19 election shall be in favor of said proposition, the supervisor and town clerk,
 20 acting under the direction of the commissioners of highways of said town, shall
 21 issue from time to time, as the work progresses, a sufficient amount in the
 22 aggregate of the bonds of said town for the purpose of building such bridge;
 23 said bonds to be of such denominations, bear such rate of interest, not exceed-
 24 ing eight per cent., upon such time, and be disposed of as the necessities and

25 conveniences of said town offices require: *Provided*, that said bonds shall not
 26 be sold or disposed of for less than their par value, and such town shall provide
 27 for the payment of such bonds and the interest thereon by appropriate
 28 taxation.

§ 23. (Town and county line bridges.) Bridges over streams which divide
 2 towns or counties, and bridges over streams on roads on county or town lines,
 3 shall be built and repaired at the equal expense of such towns or counties:
 4 *Provided*, that for the building and maintaining of bridges over streams near
 5 county or town lines, in which both are equally interested, the expense of build-
 6 ing and maintaining any such bridges shall be borne equally by both counties
 7 or towns.

§ 24. (Contracts in reference to such bridges.) For the purpose of building
 2 or keeping in repair such bridge or bridges, it shall be lawful for the commis-
 3 sioners of highways of such adjoining towns or counties to enter into joint con-
 4 tracts, and such contracts may be enforced in law or equity, against such com-
 5 missioners jointly, the same as if entered into by individuals, and such commis-
 6 sioners may be proceeded against, jointly, by any parties interested in such
 7 bridge or bridges, for any neglect of duty in reference to such bridge or bridges,
 8 or for any damage growing out of such neglect.

§ 25. (Enforcement of such contracts.) If the commissioners of highways
 2 of either of such towns, after reasonable notice in writing from the commis-
 3 sioners of highways of any other such towns, shall neglect or refuse to build
 4 or repair any such bridge when any contract or agreement has been made in
 5 regard to the same, it shall be lawful for the commissioners so giving notice to
 6 build or repair the same, and to recover, by suit, one-half (or such amount as
 7 shall have been agreed upon) of the expense of so building or repairing such
 8 bridge, with costs of suit and interest from the time of the completion thereof,
 9 from the commissioners so neglecting or refusing.

§ 26. (Effect of judgment on such contract.) Any judgment so recovered
 2 against the commissioners of highways of either of such towns, shall be a
 3 charge on such town, unless the court shall certify that the neglect of or
 4 refusal of such commissioners was wilful or malicious, in which case only such

5 commissioners shall be personally liable for such judgment, and the same may
6 be enforced against them in their personal and individual capacity.

§ 27. The commissioners of the several towns are hereby authorized to con-
2 tract for the construction and repairing of roads and bridges, and when such
3 contracts are for a sum exceeding \$75.00, they shall give at least ten days' notice
4 by posting notices in at least ten public places in and contiguous to the town,
5 describing the work and time of completion.

§ 28. (May reject all bids.) At such public letting, as provided for in the
2 preceding section, the commissioners shall have the right to reject any and all
3 bids if they deem it to be the best interests of the town, and no contract shall be
4 considered as let unless the contractor shall, within ten days after the letting,
5 enter into contract and file a bond with two good and sufficient sureties with
6 the commissioners, in the penal sum of double the value of the amount of the
7 contract, payable to the commissioners of highways of the town, upon
8 failure to comply with the conditions of his or their contract.

§ 29. (Contracts—how made payable.) All contracts for the building or
2 opening of any road, building or repairing of any bridge, shall be made payable
3 as soon as the same is accepted by a majority of the commissioners, and it is
4 hereby made the duty of the clerk of the board of commissioners to draw his
5 order on the treasurer for the amount of such contract.

§ 30. The supervisor of the town shall be ~~ex-officio~~ treasurer of the commis-
2 sioners of highways, and the town clerk shall be clerk of the commissioners and
3 custodian of all the papers relating to their office. The supervisor as treasurer
4 shall receive and have charge of all moneys collected and received for the main-
5 tenance of roads and bridges. He shall keep a separate account of this road
6 and bridge money, and pay it out on the order of the commissioners of high-
7 ways or a majority of them, attested by the clerk, and not otherwise. He shall
8 execute a bond, with good and sufficient security for double the amount of road
9 and bridge money liable to come into his hands, conditioned that he will faith-
10 fully discharge his duties as such treasurer; that he will honestly and faithfully
11 account for and pay over, upon the proper orders, all moneys coming into his
12 hands as treasurer, and the balance, if any, to his successor in office. Before

13 receiving these funds he shall give this bond to the town, to be approved by the
 14 town clerk and filed in his office with such approval endorsed thereon. After
 15 the election of supervisors in the year 1884, the bond as now required to be
 16 given by the supervisor by virtue of his office, shall be made to include the
 17 duties and responsibilities herein prescribed as treasurer of the highway com-
 18 missioners and custodian of the road and bridge fund.

§ 31. (Carriage defined.) The term "carriage" as used in this act, shall be
 2 construed to include stage coaches, wagons, carts, sleighs, sleds and every other
 3 carriage or vehicle used for the transportation of passengers and goods, or
 4 either of them.

§ 32. (Restriction—jurisdiction) Nothing contained in this act shall interfere
 2 with or affect any law concerning hackney coaches or carriages in any of the
 3 cities of this State, nor interfere with nor affect the laws or ordinances of any
 4 such city for the licensing or regulating such coaches or carriages. Justices of
 5 the peace shall have jurisdiction in all cases arising under this act, where the
 6 penalty does not exceed their jurisdiction.

§ 33. (Defacing guide-board, etc.) For destroying or defacing any guide-
 2 board, post or mile-stone, or any notice or direction put up on any bridge or
 3 otherwise, the offender shall forfeit a sum not less than three dollars nor more
 4 than fifty dollars.

§ 34. (Obstructing roads—penalty.) If any person shall injure or obstruct
 2 a public road by falling a tree or trees in, upon or across the same, or by placing
 3 or leaving any other obstruction thereon, or encroaching upon the same with
 4 any fence, or by plowing or digging any ditch or other opening thereon, or by
 5 turning a current of water so as to saturate or wash the same, or shall leave the
 6 cuttings of any hedge thereon, for more than five days [he] shall forfeit for every
 7 such offense a sum not less than three dollars nor more than ten dollars, and in
 8 case of placing any obstruction on the highway, an additional sum of not
 9 exceeding three dollars per day for every day he shall suffer such obstruction
 10 to remain after he has been ordered to remove the same by any of the commis-
 11 sioners of highways, complaint to be made by any person feeling himself
 12 aggrieved: *Provided*, this section shall not apply to any person who shall law-

13 fully fall any tree for use and will immediately remove the same out of the road,
 14 nor to any person through whose land a public road may pass, who shall desire to
 15 drain his land and shall give due notice to the commissioners of such intention:
 16 *And provided further*, that any commissioners, after having given reasonable
 17 notice (to the owners) of the obstruction, or person so obstructing or plowing or
 18 digging ditches upon such road, may remove any such fence or other obstruction,
 19 fill up any such ditch or excavation, and recover the necessary cost of such
 20 removal from such owner or other person obstructing such road aforesaid, to
 21 be collected by said commissioners before any justice of the peace having juris-
 22 diction.

§ 35. (Injuring or obstructing bridge, etc.) If any person shall purposely
 2 destroy or injure any sidewalk, public bridge, culvert or causeway, or remove
 3 any of the timber or plank thereof, or obstruct the same, he shall forfeit a sum
 4 not less than three nor more than one hundred dollars, and shall be liable for
 5 all damages occasioned thereby and all necessary costs for rebuilding or repair-
 6 ing the same.

§ 36. (Suit to recover penalty.) All suits for the recovery of any fine or
 3 penalty under this act shall be brought in the name of the town in which the
 3 offense is committed, before any justice of the peace or police magistrate within
 4 the town, who shall have jurisdiction in such cases to the extent of their juris-
 5 diction in other cases; and it shall be the duty of commissioners of highways
 6 to seasonably prosecute for all fines and penalties under this act; but in case of
 7 a failure of said officers to so prosecute, complaint may be made by any person:
 8 *Provided*, said person shall, before bringing suit in the name of the town, give
 9 a bond for costs, as is provided for in the case of non-residents.

§ 37. (Fines—how disposed of.) All fines recovered under the provisions of
 2 this act, unless otherwise provided, shall be paid over to the commissioners of
 3 highways of the town where the offense is committed, to be expended upon the
 4 roads and bridges in the town.

§ 38. (Right to make crossing.) Any person owning, using or occupying
 2 lands on both sides of any public highway, shall be entitled to the privilege of
 3 making a crossing under said highway for the purpose of letting his cattle and

4 other domestic animals cross said road: *Provided*, said person shall erect, at his
 5 own expense, a good and substantial bridge, with good railings on each side
 6 thereof, and build an embankment, of easy grade, on either side of said bridge;
 7 said bridge to be not less than sixteen feet wide, and to be approved by the
 8 commissioners of highways of the town in which said bridge is built, and the
 9 same to be kept constantly in good repair by the owner or occupant of said
 10 land, the construction subject always to the consent and approval of the com-
 11 missioners of highways of said town: *And provided, further*, that in case such
 12 crossing is made on any water-way or natural channel for water and where
 13 a culvert or bridge is maintained as required for road purposes, said owners or
 14 occupants shall not be required to pay for or construct any more of said cross-
 15 ing than the additional cost of such crossing over and above the necessary cost
 16 of a suitable culvert or bridge for road purposes at such place.

§ 39. (Turn to the right.) Whenever any persons, traveling with any car-
 2 riages, shall meet on any turnpike road or public highway in this State, the
 3 persons so meeting shall seasonably turn their carriages to the right of the
 4 center of the road, so as to permit each carriage to pass without interfering
 5 or interrupting, under the penalty of five dollars for every neglect or
 6 offense, to be recovered by the party injured: *Provided*, this section shall
 7 not be construed to apply to a case where it is impracticable from the nature
 8 of the ground for the driver of the carriage or wagon to turn to the right of
 9 the beaten track.

§ 40. (Drunken driver.) No person owning any carriage, running or travel-
 2 ing upon any road in this State for the conveyance of passengers, shall employ,
 3 or continue in employment, any person to drive such carriage who is addicted
 4 to drunkenness or the excessive use of spirituous liquors, and if any such
 5 owner shall violate the provisions of this section, he shall forfeit at the rate
 6 of five dollars per day for all the time he shall knowingly keep such driver
 7 in his employment; and any person driving his own team, or the team of
 8 another, on the public highway, when intoxicated, shall be subject to a fine
 9 of not less than three dollars nor more than twenty-five dollars for each
 10 offense.

§ 41. (Running horses on public road.) No person driving any carriage upon
 2 any turnpike road or public highway within this State, with or without passen-
 3 gers therein, shall run his horses or carriage (or permit the same to run) upon
 4 any occasion, or for any purpose whatever; and every person who shall offend
 5 against the provisions of this section shall be deemed guilty of a misdemeanor,
 6 and on conviction thereof, shall be fined not exceeding ten dollars, or impris-
 7 oned not exceeding sixty days, at the discretion of the court.

§ 42. (Teams to be hitched.) It shall not be lawful for the driver of any car-
 2 riage used for the purpose of conveying passengers for hire, to leave the horses
 3 attached thereto while passengers remain therein, without first making such
 4 horses fast with a sufficient halter, rope or chain, or by placing the lines in the
 5 hands of some other person, so as to prevent their running; and if any such driver
 6 shall offend against the provisions of this section, he shall forfeit the sum of
 7 twenty dollars, to be recovered by action, to be commenced within six months;
 8 and unless the amount of such recovery be paid forthwith, execution shall be
 9 immediately issued therefor.

§ 43. (Owner liable for damages—Driver of stage, etc., guilty of misde-
 2 meanor.) The owners of every carriage running upon any turnpike road or
 3 public highway, for the conveyance of passengers, shall be liable, jointly and
 4 severally, to the party injured, in all cases, for all injuries and damages done by
 5 any person in the employment of such owners as a driver, while driving such car-
 6 riage, to any person or to the property of any person; and that, whenever the
 7 act occasioning such injury or damage be willful, negligent or otherwise, in the
 8 same manner that such driver would be liable. Any driver of any mail stage
 9 coach or any other vehicle for the conveyance of passengers, willfully offend-
 10 ing against the provisions of this act, shall be deemed guilty of a misdemeanor,
 11 and on conviction thereof, shall be imprisoned not exceeding four months, or
 12 fined not exceeding three hundred dollars.

§ 44. (Altering, widening, vacating and laying out roads.) The commis-
 2 sioners of highways may alter, widen or vacate any road, or lay out any new
 3 road in their respective towns, when petitioned by any number of freeholders,
 4 not less than twelve, residing within three miles of the road to be altered,
 5 widened, vacated or laid out.

§ 45. (Petition.) Said petition shall set forth in writing, a description of the road, and what part thereof is to be altered, widened or vacated, and if for a new road, the names of the owners of lands, if known, and if not known it shall be so stated, over which the road is to pass, the points at or near which it is to commence, its general course, and the place at or near where it is to terminate.

§ 46. (Posting copy of petition—proof.) Whenever any such number of freeholders determine to petition the commissioners of highways for the alteration, widening or vacation of any road, or laying out any new road, they shall cause a copy of this petition to be posted up in three of the most public places in the town in the vicinity of the road to be laid out, altered, widened or vacated, at least twenty days before any action shall be had in reference to such petition. The posting of any notice required by this act may be proved by the affidavit of the person posting the same, or by other legal evidence.

§ 47. (Time of meeting to examine to be fixed—Notice.) Whenever the commissioners of highways shall receive any such petition, with the proof of the posting of copies, as in the next preceding section specified, they shall fix upon a time when and where they will meet to examine the route of such road, and to hear reasons for or against the altering, widening, vacating or laying out the same; which meeting shall be within twenty days after the expiration of the twenty days required for the posting of the copies of the petition in the next preceding section, and they shall give at least ten days' notice of the time and place of such meeting, by posting up notices in three of the most public places in the township, in the vicinity of the road to be widened, altered or vacated.

§ 48. (Adjournment—Decision—Proceedings thereon.) The commissioners may, by public announcement, and by the posting of a notice at the time and place named for the first meeting, adjourn the meeting from time to time, but not for a longer period than twenty days in all; and shall, at the first or such adjourned meeting, within said twenty days, decide and publicly announce whether they will grant or refuse the prayer of the petition, and shall indorse upon or annex to the petition a brief memorandum of such decision, to be signed by the commissioners. Such decision shall be subject to revocation, in

9 case the prayer of the petition is granted, in the manner hereinafter provided.
 10 In case the commissioners refuse to grant the prayer of the petition, they shall
 11 within ten days thereafter, file the same, so indorsed or with such decision
 12 annexed thereto, in the office of the town clerk.

§ 49. (In case of vacation of road.) If the petition is simply for the vacation
 2 of a road, and the commissioners of highways, or a majority of them, shall, at
 3 such meeting decide that the prayer of the petitioners should be granted, they
 4 shall order such road to be vacated,—a copy of which order, together with the
 5 petition, shall be by them filed with the town clerk; such order to be so filed
 6 within ten days after the date of such decision.

§ 50. (When for laying out, altering, or widening road.) If such petition is
 2 for the establishment of a new road, or the alteration or widening of an existing
 3 road, and the commissioners of highways or a majority of them, shall be of the
 4 opinion that the prayer of the petitioners should be granted, they shall cause a
 5 survey and plat of such road to be made by a competent surveyor, who shall
 6 report such survey and plat to said commissioners, giving the courses and dis-
 7 tances, and specifying the land over which said road is to pass—in which they
 8 may make such changes between the termini of the road described in the peti-
 9 tion as the convenience and interest of the public, in their judgment, may
 10 require.

§ 51. (Re-survey and plat of road) Upon the petition of twelve freeholders,
 2 it shall be the duty of the commissioners of highways of each town, within a
 3 reasonable time, to employ a competent surveyor and have any road or roads
 4 designated in such petition in their several towns re-surveyed, and plats thereof
 5 made, which plats and surveys shall be by them filed for record in the office of
 6 the town clerk: *Provided*, that this section shall not apply where the same has
 7 been already done, unless the exact location of such road is uncertain.

§ 52. (New road not to vacate old road unless, etc.) The establishment of
 2 a new road on the route of a road already established according to law, shall
 3 not vacate the road previously established, unless such vacation is prayed for
 4 in the petition, and so declared in the order establishing a new road.

§ 53. (Damages to be ascertained.) They shall also, before they order any road to be established, altered, widened or vacated, ascertain as hereinafter provided, the aggregate amount of damages which the owner or owners of land over which the road is to pass shall be entitled to, by reason of the location, alteration or vacation of such road: *Provided, however,* that in case an appeal is taken from the assessment of damages before the justice of the peace, the commissioners may in their discretion, make an order laying out, widening, altering or vacating such road, either before or after such appeal is determined, in the manner hereinafter provided.

§ 54. (Damages may be agreed upon.) The damages sustained by the owner or owners of the land, by reason of the establishment, alteration, widening or vacation of any road, may be agreed upon by the owners of such lands, if competent to contract, and the commissioners of highways, or they may be released by such owners—in which case the agreement or release shall be in writing, and shall be filed and recorded with the copy of the order establishing or altering such road, in the town clerk's office, and shall be a perpetual bar against such owners, their grantees and assigns, for all further claims for such damages.

§ 55. (Summoning jury to assess damages.) In case such damages are not released or agreed upon as in the preceding section specified, the commissioners of highways shall within twenty days from the date of the meeting at which it was decided to grant the prayer of the petition, make a certificate that they are about to establish, widen, vacate or alter a public road, describing such road, vacation, widening or alteration, and the land over or on which such road is to be established, altered, widened or vacated, and naming the owners of such lands, if known, and if not known stating the fact, and asking for a jury to assess the damages of such owners, and shall present such certificate to some justice of the peace of the county, who shall summon a jury of six persons, having the qualifications of jurors the same as other juries are summoned in civil actions before justices of the peace, to appear before such justice of the peace at a time to be fixed by him, within ten days from the time such certificate was presented to him, to assess such damages.

§ 56. (Notice to owners.) The commissioners of highways shall also notify
 2 each and every owner of land—if known and a resident of the county—whose
 3 damages are to be assessed, that they will apply to some justice of the peace of
 4 the county (giving the time when and the place where) to have a jury impan-
 5 eled to assess such damages.

§ 57. (Summoning jury to assess damages.) Upon the presentation of such
 2 certificate by the commissioners of highways, the justices of the peace shall
 3 forthwith issue a venire directed to any constable of the county, to summons
 4 six persons having the qualifications of jurors to appear at such time and place
 5 as may be designated for the trial of such cause, whose competency shall be
 6 determined the same as in other civil cases before justices of the peace.

§ 58. (Challenge of jury.) At the trial of the case either party shall have
 2 the right of challenge as in other cases; and any deficiency in the number of
 3 jurors, from whatever cause, shall be supplied by summoning other persons
 4 residing in the township, or in an adjoining township, in the same manner as
 5 in a civil case. Such justice of the peace shall notify the owners of such land
 6 mentioned in such certificate to appear at the same time before such justice to
 7 prove their damages.

§ 59. (Notice to unknown owners.) In case it shall appear, either from the
 2 certificate of the commissioners, the affidavit of any person, or the return of
 3 any officer to whom the notice may be delivered for service, that there are non-
 4 resident or unknown owner or owners who cannot be found and served within
 5 the county, such justice shall also cause notice to be posted in three of the
 6 most public places in the vicinity of such proposed road or alteration, at least
 7 six days before the time fixed for the appearance of such jury, stating when
 8 such jury is to be impaneled by him, and describing the road to be established,
 9 altered, widened, or vacated as petitioned for, and the lands for which damages
 10 are to be assessed.

§ 60. (Service of notice.) The notice to such owners of land may be served
 2 by any constable at least five (5) days before the time of appearance. If any
 3 such owner is an infant, such summons shall be served by delivering a copy to
 4 the infant, or its guardian, if any; if no guardian, the person with whom he or

5 she resides. If any owner is a lunatic or habitual drunkard, having a conser-
 6 vator, or insane, by delivering a copy to his conservator, if any; if any such
 7 owner is a married woman, by delivering a copy to her.

§ 61. (Oath of jury—trial.) The jury shall appear before and be sworn or
 2 affirmed by such justice faithfully and impartially to assess the damage of each
 3 of the owners specified in such certificate, or those of them whose claims are
 4 then to be adjusted, according to law to the best of their judgment and under-
 5 standing; and all parties in interest shall be entitled to subpoenas and other
 6 writs and papers, and the trial shall be conducted as in other civil cases.

§ 62. (Trial—judgment.) The jury shall hear such lawful evidence touching
 2 the question of such damages as may be presented to them; and shall also, on
 3 request of a majority of the road commissioners or owners of lands whose dam-
 4 ages are to be determined, in a body visit and examine the proposed location, al-
 5 teration, widening or vacation of such road, and the lands to be taken and af-
 6 fected thereby, and make a written verdict specifying the amount of damages, if
 7 any, which each such owner shall recover, and return the same to such justice,
 8 to be by him entered on his docket in the nature of a judgment.

§ 63. (Separate trials—continuance.) *Provided*, That when there are several
 2 such owners, the jury may assess the damages of one or more or all of them at
 3 the same time, or they may assess such damages at different times, or there may
 4 be different juries and trials at different times for different owners if any owner
 5 shall demand a separate trial; and any such assessment of damages may be con-
 6 tinued from time to time for good cause, with the like effect as continuances in
 7 other cases before justices of the peace.

§ 64. (Final decision of commissioners—notice.) Within thirty days after the
 2 total amount of damages shall have been ascertained, either by release or agree-
 3 ment of the parties, or by assessment before a justice of the peace and a jury,
 4 in the manner hereinbefore provided, the commissioners shall hold a meeting
 5 to finally determine upon the laying out, altering, widening or vacation of such
 6 road, of which meeting said commissioners shall give public notice, by causing
 7 not less than three notices thereof to be posted in public places within the town,
 8 at least five days prior thereto.

§ 65. (Commissioners may revoke proceedings.) In cases where the damages are not wholly released or agreed upon, and the commissioners shall be of the opinion that the damages assessed by the jury are manifestly too high and that the payment of the same would be an unreasonable burden upon the tax-payers of the town, the commissioners may revoke all proceedings had upon the petition by a written order to that effect; and such revocation shall have the effect to annul all such proceedings and assessments, releases and agreements, in respect to damages growing out of the proceedings upon the petition: *Provided*, upon the final determination of the commissioners of highways, or the supervisors, upon appeal being determined, and a copy of all such proceedings being filed in the town clerk's office, no other proceeding shall be had by the commissioners of highways, nor any petition entertained in regard to the same road or petition for one year from the date of filing such copies of proceedings.

§ 66. (When Commissioners do not revoke proceedings.) In case the commissioners shall not revoke such prior proceedings they shall make an order, to be signed by them, declaring such road so altered, widened or laid out a public highway, and which order shall contain or have annexed thereto a definite description of the line of such road, together with a plat thereof. The commissioners shall, within ten days from the date of such order, cause the same, together with the report of the surveyor, the petition and releases or agreements in respect to damages, to be deposited and filed in the office of the town clerk, who shall note upon such order the date of such filing. It shall be the duty of such clerk, after the time for appeal to supervisors has expired, and in the case of such appeal, after the same shall have been determined, in case the prayer of the petition is granted, to record such order, together with the plat of the surveyor, in a proper book to be kept for that purpose.

§ 67. (When damages released or agreed upon.) In cases where the damages claimed by the land-owners for the right of way is released, or is agreed upon between the land-owners and commissioners, the commissioners may, at their first meeting or at any adjourned meeting, examine the route of the road, and cause a survey thereof to be made, and make their order establishing, altering, widening or vacating the road, according to the prayer of the petition, and return the same within the time and in the manner specified in this act.

§ 68. (Inducements may be offered.) Any person or persons interested in the establishment, alteration, widening or vacation of any road in this State, are hereby authorized to offer inducements to the commissioners of highways for the establishment, alteration, widening or vacation of any such road, by entering into contract with said commissioners, conditioned upon such establishment alteration, widening or vacating, to pay money or other valuable thing to the town for the benefit of the road and bridge funds of the same; or to perform any labor, or to construct any road, bridge or culvert on any road with which said person or persons desire to have established, widened or altered. And such contracts, in writing, made with said commissioners, shall be deemed good and valid in law, and may be enforced by said commissioners or their successors in office, before any court having jurisdiction.

§ 69. (Town clerk's record, etc.—evidence—effect of same.) The records of the town clerk, or a certified copy of such record and papers, relating to the establishment, location, alteration, widening or vacation of any road, shall be *prima facie* evidence in all cases that all the necessary antecedent provisions had been complied [with, and that the action of the commissioners of highways, or other persons and officers, in regard thereto, was regular in all respects.

§ 70. (Private roads.) Roads for private and public use, of the width of three rods or less, may be laid out from one dwelling or plantation of an individual to any public road, or from one public road to another, or from one lot of land to another, or from a lot of land to the highway, on petition to the commissioners of highways by any person directly interested. The commissioners, on receiving such petition, shall have power to lay out the road as asked for therein, to which end they shall proceed and examine into the merits of the case, and shall be governed in their proceedings by the rules and regulations prescribed in this act in relation to public roads. The jury shall consider the damages that may result to parties from said proposed road, and shall assess the damages to each individual owner of lands affected thereby. The amount of such damages shall be paid by the persons

13 benefited thereby to the extent and in proportion that they are benefited, to be
 14 determined and declared by the jury. The remainder of the amount of dam-
 15 ages over and above that to be paid by the parties as aforesaid, shall be paid
 16 by the land as in other cases. The amount of damages to be paid by individuals
 17 shall be paid to the parties entitled thereto before the road shall be opened for
 18 use. An appeal may be taken on the question of the propriety and necessity
 19 of such road as in other cases.

§ 71. (Limitation on time to open.) If such private road or cartway shall
 2 not be opened by the petitioners or other assigns within two years from the
 3 time of making the order for the location of the same, such order shall be re-
 4 garded as rescinded.

§ 72. (Crops—fences.) When such private road or cartway is proposed to
 2 pass over inclosed lands the owners of such lands shall have a reasonable time,
 3 not exceeding eight months, to be designated by the commissioners of high-
 4 ways, to harvest crops and remove fences which may be on such lands before
 5 such road or cartway shall be opened.

§ 73. (Payment for work on private roads.) The commissioners of highways
 2 may, in their discretion, pay persons who live on or have private roads
 3 which are used by the public, for work done on such roads; but in no case
 4 shall they be allowed more than the amount of their road tax for the
 5 year in which the work is done.

§ 74. (Roads on town and county lines.) Public roads may be established,
 2 altered, widened or vacated on township or county lines, or from one town-
 3 ship into another, in the same manner as other public roads, except that in
 4 such case a copy of the petition shall be posted up in and presented to the
 5 commissioners of highways of each town interested, said petition to be as in
 6 other cases, and signed by not less than twelve freeholders residing in either
 7 county within three miles of the road so to be altered, widened, located or
 8 laid out; whereupon it shall be the duty of the commissioners of highways
 9 of the several towns to meet and act as one body, in the same time and
 10 manner as in other cases, in considering the petition, viewing the premises,
 11 adjusting damages and making all orders in reference to such proposed road

12 alteration, widening or vacation, and a majority of all such commissioners
 13 must concur in all such orders; and a copy of all final orders and plats and
 14 papers shall be filed and recorded in each of the counties and towns inter-
 15 ested.

§ 75. (Commissioners may allot to each town part of road.) The commis-
 2 sioners of highways shall also, in case a new road is established, allot to
 3 each of such towns the part of such road which each of such towns shall
 4 open and keep in repair, and the part so allotted shall be considered as
 5 wholly belonging to such town. They shall also divide the expenses and
 6 damages which may accrue from such location, widening or alteration, and
 7 if they cannot agree, they shall refer the matter to three disinterested free-
 8 holders, as arbitrators, whose decision shall be final.

§ 76. (Appeal.) Any person or persons interested in the decision of the com-
 2 missioners of highways in determining to or in refusing to lay out, alter, widen
 3 or vacate any road or revoking any previous order or decision relative to any
 4 road, or from the verdict of any jury in assessing damages in opening, altering
 5 or vacating any road, may appeal from such decision to three supervisors of
 6 the county, outside of the town in which such road or proposed road is located,
 7 by giving a written notice of such appeal to said commissioners of highways
 8 and to at least three of the petitioners, within ten days after such decision has
 9 been filed in the office of the proper clerk; and shall also present a written
 10 petition to some justice of the peace of the county, asking for an appeal, and
 11 stating on what grounds such appeal is taken.

§ 77. (Trial of appeal—power of the supervisors—appeal to.) It shall be the
 2 duty of the justice of the peace to cause to be summoned three supervisors of
 3 the county to hear such appeal; and said supervisors shall fix upon a time and
 4 place when said appeal will be heard by them; and the person or persons
 5 appealing shall, at least three days before such trial, give a written notice to
 6 the said commissioners of highways and to at least three of the petitioners, of
 7 the time and place of said trial; and upon such appeal the said supervisors
 8 shall have the same power and authority that is by this act conferred
 9 on the commissioners of highways, not only in regard to the laying out, alter-

ing, widening or vacating any road, but shall have the same power to cause a jury to be called to assess damages, whenever the state of the proceedings require it, and the supervisors cannot agree with the owners of the land in regard to the same.

§ 78. (Report of decision—compensation—effect of decision.) And they shall make a report of their proceedings and decision in the case, and in like manner that is by this act required by the highway commissioners, and shall be entitled to two dollars and fifty cents per day; and their decision shall be final in regard to laying out, altering, widening or vacating such road, or in refusing to do the same, for one year after such decision.

§ 79. (Costs of appeal.) Any parties taking an appeal from the award of the decision of the highway commissioners, or the verdict of the jury, shall pay the cost of such appeal, in case the award of the decision of the highway commissioners, or the verdict of a jury is in all things sustained; and shall file a sufficient bond with the justice of the peace or town clerk before taking such appeal, guaranteeing such payment in such case.

§ 80. (A majority may decide.) The decision of a majority of the supervisors in any appeal case shall be taken as the decision of said supervisors.

§ 81. (Appeal where road is on town or county line.) When the commissioners of highways of one town disagree with the commissioners of highways of an adjoining town, in regard to the laying out of a new road, or the alteration, widening or vacation of an old road on any county or town line, appeals may be taken from such decision in the same manner as set forth in section 58 of this act: *Provided*, that when such decision is in regard to a road on a county line, two supervisors and one commissioner of highways shall be selected from one county and two commissioners of highways and one supervisor shall be selected from the other. The county from which the two supervisors shall be selected shall be determined by the party or parties taking the appeal, and the justice of the peace shall issue his summons accordingly.

§ 82. (Town and county line roads—how allotted, etc.—what deemed such.) All roads heretofore laid out upon town or county lines, shall be divided,

3 allotted and kept in repair in the manner as hereinbefore directed. Any
 4 public road that is or shall hereafter be laid out on a county or town line
 5 shall be held to be a road on a county or town line, although, owing to the
 6 topography of the ground along said county or town line, or at the crossing
 7 of any stream of water, the proper authorities, in establishing or locating
 8 such road, may have located a portion of the same to one side of such coun-
 9 ty or town line.

§ 83. (State line roads.) Roads may be laid out and opened upon the
 2 line between this and any adjoining State, as provided in the preceding
 3 sections, whenever the laws of such adjoining State shall be applicable.

§ 84. (Removal of fences.) Whenever a public road is ordered to be estab-
 2 lished or altered, according to the provisions of this act, which road shall pass
 3 through or on inclosed land, the commissioners of highways shall give the
 4 owner or occupant of such land sixty days' notice in writing to remove his
 5 fences. If such owner or occupant does not remove his fence within sixty days
 6 after such notice, the commissioners shall cause the same to be removed, and
 7 direct the road to be opened and worked; and such owner shall forfeit to such
 8 commissioners the sum of one dollar for every day he shall permit his fence to
 9 remain after the expiration of said sixty days, and shall pay all necessary cost
 10 of removal, to be collected by said commissioners before any justice of the
 11 peace having jurisdiction.

§ 85. (Road to be opened in five years.) All highways laid out by order of
 2 the commissioners or supervisors, on appeal, shall be opened within five years
 3 from the time of laying out the same. If not opened within the time afore-
 4 said, the same shall be deemed to be vacated.

§ 86. (Compensation of commissioners.) The commissioners of highways
 2 shall receive for their services the sum of two dollars per day for each day
 3 necessarily employed in the performance of their duties, the same to be
 4 audited by the town auditors, and paid out of the town funds.

§ 87. (Penalty for neglect of duty.) If the commissioners of highways
 2 shall refuse or neglect to perform any of the duties enjoined on them by
 3 this act, they shall severally forfeit not less than ten dollars nor more than

4 fifty dollars, and may be proceeded against, severally or jointly, for the re-
5 covery of such forfeiture before any justice of the peace in the proper
6 county having jurisdiction.

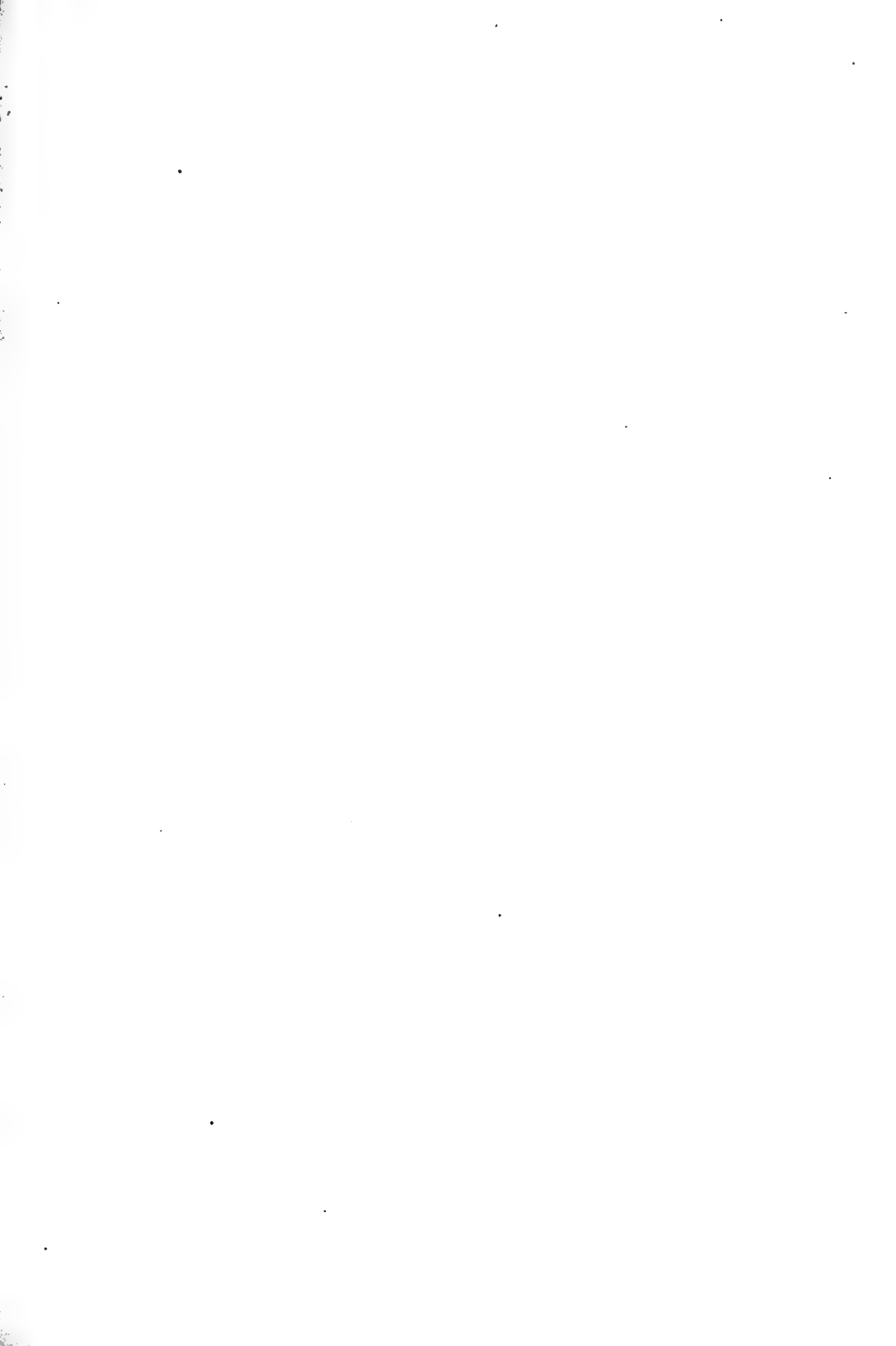


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1. Introduced by Mr. Tubbs, February 6, 1883, and ordered to first reading.
 2. First reading February 9, 1883, and referred to Committee on Education and Educational Institutions.
 3. Reported back March 2, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act conducive to the physical well being of children.

SECTION 1. *Be it enacted by the People of [the State of] Illinois, represented in the*
2 *General Assembly*, That school directors and all boards of education shall
3 have power, and it shall be their duty, to have taught in all public schools,
4 orally or otherwise, as may be deemed best, elementary physiology and the
5 laws of health, due attention being given to the known effects of alcoholic
6 drinks, stimulants and narcotics on the human system.

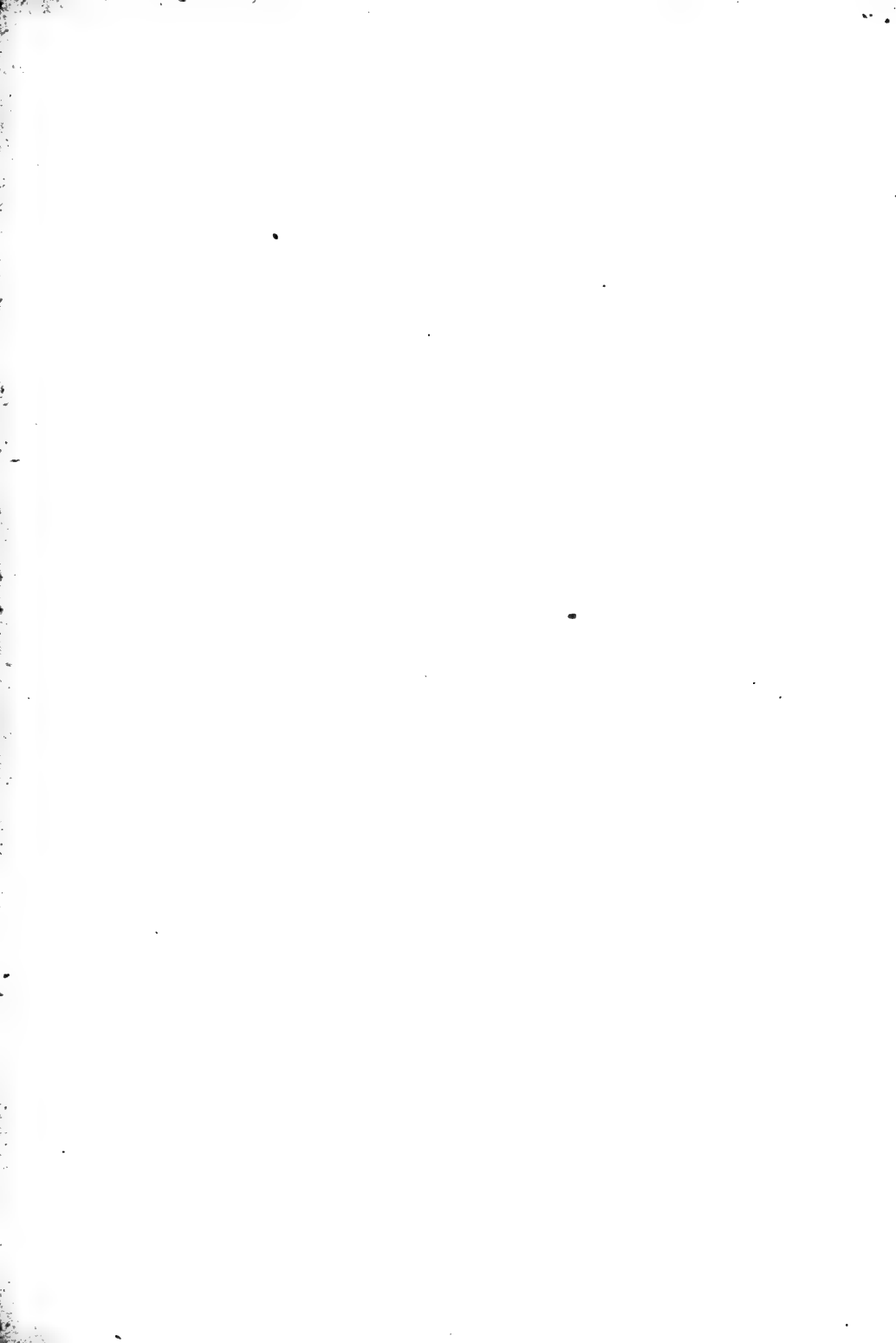


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1. Reported to House May 17, 1883.
 2. First reading June 2, 1883 and ordered to second reading.
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A BILL

For An Act conducive to the physical well-being of children.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That school directors and all boards of education shall have
3 power, and it shall be their duty, to have taught in all public schools, orally
4 or otherwise, as may be deemed best, elementary physiology and the laws of
5 health, due attention being given to the known effects of alcoholic drinks,
6 stimulants and narcotics on the human system.



1. Introduced by Mr. Shaw, February 6, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judicial Department.
3. Reported back February 22, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section twelve (12) of an act entitled "An act concerning jurors and to repeal certain acts therein named," approved and in force February 11, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section twelve (12) of an act entitled "An act con-
3 cerning jurors and to repeal certain acts therein named," approved and in
4 force February 11, 1874, be and the same is hereby amended so as to read
5 as follows:
6 "Section 12. The judge shall examine the jurors who appear, and if more
7 than twenty-four petit jurors who are qualified and not subject to any
8 exemption, or any of the disqualifications provided in this act, shall appear and
9 remain after all excuses are allowed, the court shall discharge by lot the
10 number in excess of twenty-four. If for any reason the panel of petit
11 jurors shall not be full at the opening of such court, or at any time during
12 the term, the clerk of such court may again repair to the office of the
13 county clerk, and draw, in the same manner as at the first drawing, such
14 number of jurors as the court shall direct to fill such panel, who shall be
15 summoned in the same manner as the others, and if necessary, jurors may
16 continue to be so drawn and summoned from time to time until the panel
17 shall be filled. In case a jury shall be required in such court for trial of
18 any cause, before the panel shall be filled in the manner herein provided,

19 the court shall direct the sheriff to summon from the bystanders, or from
20 the body of the county, a sufficient number of persons having the qualifica-
21 tions of jurors as provided in this act, to fill the panel, in order that a jury
22 to try such cause may be drawn therefrom; and when such jury is drawn,
23 the persons selected from the bystanders, or from the body of the county
24 to fill the panel, and not chosen on the jury, shall be discharged from the
25 panel, and those who have been chosen to serve on the jury shall also be
26 discharged from the panel at the conclusion of the trial: *Provided*, that if
27 at any time during the term, and after the panel is filled as above provided,
28 the judge holding the court may anticipate that any criminal cause or
29 causes subject to call for trial at that term is likely to exhaust the regular
30 panel of jurors, the court may in its discretion order the clerk to repair to
31 the office of the county clerk and draw, in the same manner as at the first
32 drawing, such number of jurors as the court shall direct, to serve as talesmen
33 in any and all criminal cases pending for trial at that term, until the judge
34 shall in his discretion them from further attendance. And such
35 additional jurors so drawn shall be summoned forthwith to give their attend-
36 ance upon the court in one or more venires as other jurors are summoned:
37 *Provided, further*, that persons selected from the bystanders, as provided in
38 this section, shall not thereby be disqualified or exempt from service as
39 jurors when regularly drawn by the clerk for that purpose in the manner
40 provided in this act.

AMENDMENT TO SENATE BILL NO. 173, ADOPTED BY THE
COMMITTEE ON JUDICIAL DEPARTMENT.

1. Amend by inserting in the twenty-ninth line of the fifth page of the
2 written bill, after the word "discretion," the word "discharge."

1. Introduced by Mr. Shaw, February 6, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judicial Department.
3. Reported back February 22, 1883, with amendment, passage recommended, and ordered to second reading.
4. Second reading March 13, 1883, amended, and ordered to third reading.

A BILL

For An act to amend section twelve (12), of an act entitled "An act concerning jurors and to repeal certain acts therein named," approved and in force February 11, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 *General Assembly, That section twelve (12), of an act entitled "An act con-*
3 *cerning jurors and to repeal certain acts therein named," approved and in*
4 *force February 11, 1874, be, and the same is hereby amended, so as to read*
5 *as follows:*

6 "Section 12. The judge shall examine the jurors who appear, and if more
7 than twenty-four petit jurors who are qualified and not subject to any
8 exemption, or any of the disqualifications provided in this act, shall appear
9 and remain after all excuses are allowed, the court shall discharge by lot
10 the number in excess of twenty-four. If for any reason the panel for petit
11 jurors shall not be full at the opening of such court, or at any time during
12 the term, the clerk of such court may again repair to the office of the
13 county clerk, and draw, in the same manner as at the first drawing, such
14 number of jurors as the court shall direct to fill such panel, who shall be
15 summoned in the same manner as the others, and if necessary, jurors may
16 continue to be so drawn and summoned from time to time until the panel
17 shall be filled. In case a jury shall be required in such court for trial of

18 any cause, before the panel shall be filled in the manner herein provided,
19 the court shall direct the sheriff to summon from the bystanders, or from
20 the body of the county, a sufficient number of persons having the qualifica-
21 tions of jurors, as provided in this act, to fill the panel, in order that a jury
22 to try such cause may be drawn therefrom; and when such jury is drawn,
23 the persons selected from the bystanders, or from the body of the county to
24 fill the panel, and not chosen on the jury, shall be discharged from the
25 panel, and those who have been chosen to serve on the jury shall also be
26 discharged from the panel at the conclusion of the trial: *Provided*, that if
27 at any time during the term, and after the panel is filled as above provided,
28 the judge holding the court may anticipate that any criminal cause or
29 causes subject to call for trial at that term is likely to exhaust the regular
30 panel of jurors, the court may, in its discretion, order the clerk to repair to
31 the office of the county clerk and draw, in the same manner as at the first
32 drawing, such number of jurors as the court shall direct, to serve as talesmen
33 in any and all criminal cases pending for trial at that term, until the judge
34 shall, in his discretion, discharge them from further attendance. And such
35 additional jurors so drawn shall be summoned forthwith to give their attend-
36 ance upon the court in one or more venires as other jurors are summoned:
37 *Provided, further*, that persons selected from the bystanders, as provided in
38 this section, shall not thereby be disqualified or exempt from service as
39 jurors when regularly drawn by the clerk for that purpose in the manner
40 provided in this act."

1. Reported to House March 30, 1883.
2. First reading April 7, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading April 20, 1883.

A BILL

For An Act to amend section twelve (12), of an act entitled "An act concerning jurors and to repeal certain acts therein named," approved and in force February 11, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section twelve (12), of an act entitled "An act con-
3 cerning jurors and to repeal certain acts therein named," approved and in
4 force February 11, 1874, be, and the same is hereby amended so as to read
5 as follows:

6 "Section 12. The judge shall examine the jurors who appear, and if more
7 than twenty-four petit jurors who are qualified and not subject to any
8 exemption, or any of the qualifications provided in this act, shall appear
9 and remain after all excuses are allowed, the court shall discharge by lot
10 the number in excess of twenty-four. If for any reason the panel for petit
11 jurors shall not be full at the opening of such court, or at any time during
12 the term, the clerk of such court may again repair to the office of the
13 county clerk, and draw, in the same manner as at the first drawing, such
14 number of jurors as the court shall direct, to fill such panel, who shall be
15 summoned in the same manner as the others, and if necessary, jurors may
16 continue to be so drawn and summoned from time to time until the panel
17 shall be filled. In case a jury shall be required in such court for trial of
18 any cause, before the panel shall be filled in the manner herein provided,

19 the court shall direct the sheriff to summon from the bystanders, or from
20 the body of the county, a sufficient number of persons having the qualifica-
21 tions of jurors, as provided in this act, to fill the panel, in order that a jury
22 to try such cause may be drawn therefrom; and when such jury is drawn,
23 the persons selected from the bystanders, or from the body of the county to
24 fill the panel, and not chosen on the jury, shall be discharged from the
25 panel, and those who have been chosen to serve on the jury shall also be
26 discharged from the panel at the conclusion of the trial: *Provided*, that if
27 at any time during the term, and after the panel is filled as above provided,
28 the judge holding the court may anticipate that any criminal cause or
29 causes subject to call for trial at that term, is likely to exhaust the regular
30 panel of jurors, the court may, in its discretion, order the clerk to repair to
31 the office of the county clerk and draw, in the same manner as at the first
32 drawing, such number of jurors as the court shall direct, to serve as tales-
33 men in any and all criminal cases pending for trial at that term, until the
34 judge shall, in his discretion, discharge them from further attendance. And
35 such additional jurors so drawn shall be summoned forthwith to give their
36 attendance upon the court in one or more venires as other jurors are sum-
37 moned: *Provided, further*, that the persons selected from the bystanders, as
38 provided in this section, shall not thereby be disqualified or exempt from
39 service as jurors when regularly drawn by the clerk for that purpose in the
40 manner provided in this act."

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1. Introduced by Mr. Ainsworth, February 6, 1883, and ordered to first reading.
 2. First reading February 9, 1883, and referred to Committee on State Charitable Institutions.
 3. Reported back April 12, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act making appropriations for land and for the construction of buildings for the Illinois Western Hospital for the Insane.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That there be and is hereby created and established the
3 "Illinois Western Hospital for the Insane," which shall possess all the cor-
4 porate and other powers, and be subject to all the rules, regulations and
5 conditions expressed in an act entitled "An act to regulate State Charitable
6 Institutions and State Reform School, and to improve their organization
7 and increase their efficiency," approved April 15, 1875; and the object of
8 said hospital shall be the same as set forth in section three of said act.

§ 2. For the purchase of the site and farm, which shall include not less
2 than one hundred and sixty acres, nor more than three hundred and twenty,
3 and for constructing buildings for the Illinois Western Hospital for the
4 Insane, and for plumbing, heating, and for the ventilation of the same, and
5 fit the same buildings for occupancy and use, there is hereby appropriated
6 the sum of two hundred thousand dollars (\$200,000), to be paid out of any
7 moneys not otherwise appropriated, as hereinafter provided.

§ 3. That within ten days after taking effect of this act, the Governor
2 shall appoint five commissioners, no two of which shall be from the same
3 congressional district, and none of whom shall be residents of that portion

4 of the State west of the third principal meridian and described as follows:
 5 Beginning at the north boundary of the State, thence south on the third
 6 principal meridian to the Illinois river, thence down said river to its mouth.
 7 Said commissioners shall take and file in the office of the Secretary of State
 8 the following oath: "I do solemnly swear that I will support the constitu-
 9 tion of the United States and of this State, and will faithfully discharge
 10 the duties of commissioner to locate the Western Hospital for the Insane
 11 according to the best of my ability, and that I have not, and will not
 12 knowingly or intentionally, directly or indirectly receive any money or other
 13 consideration from any corporation, company or person, for any vote or
 14 influence I may give or withhold, or for any other official act I may per-
 15 form as said commissioner." And as soon as possible after their appoint-
 16 ment and qualification shall proceed to select a site for the said hospital in
 17 that portion of the State west of the third principal meridian, and described
 18 as follows: Beginning at the north boundary of the State, thence south on
 19 the third principal meridian to the Illinois river; thence down said river to
 20 its mouth, and at such a place as shall be at the same time most economical
 21 to the State, and best adapted to the wants of the institution, having regard
 22 in the selection to elevation, sewerage and drainage, an abundant and never
 23 failing supply of living water, facility of access, the quality of the soil, and
 24 the price asked for the land; but the said commissioners shall neither ask
 25 nor accept, on their own account or on account of the State, any gift or
 26 gifts in money, freights, land or other valuable property as a consideration
 27 for the location or choice of site. And a violation of this provision shall be
 28 deemed a high misdemeanor, punishable by fine or imprisonment, or by
 29 both, at the discretion of the court in which conviction of the same may be
 30 obtained and had.

§ 4. Within ten days after the selection of a site, the Governor shall
 2 appoint three trustees for the said hospital, who shall be a body corporate
 3 and politic and shall be subject to the same rules, regulations, conditions
 4 and purposes as trustees of other State charitable institutions, as now pro-
 5 vided by law.

§ 5. The said trustees are directed and required to cause to be prepared
 2 suitable plans and specifications by a competent architect, (for which not
 3 more than two and one-half per cent. shall be allowed as the work pro-
 4 gresses), which shall be submitted to the Governor for his approval; but no
 5 plan shall be adopted by the trustees which shall not first been approved
 6 by the Governor and board of public charities. Said plans shall be accom-
 7 panied by specifications and by a detailed estimate of the amount, quality
 8 and description of all materials and labor required for the erection and full
 9 completion of the buildings according to said plans.

§ 6. Whenever the said plans and specifications shall have been approved
 2 and adopted, the trustees shall cause to be inserted in at least two of the
 3 daily or weekly newspapers in each of the following cities, to-wit: In Chi-
 4 cago, St. Louis and Indianapolis, and the city or town at or near which the
 5 said institution shall be permanently located, an advertisement for sealed
 6 bids for the construction of the buildings herein authorized; and they shall
 7 furnish a printed copy of this act and of the specifications to all parties
 8 applying therefor, and all parties interested who may desire it shall have
 9 free and full access to the plans, with the privilege of taking notes and
 10 making memoranda. And the said trustees shall answer all inquiries ad-
 11 dressed to them upon the subject of the proposed building or buildings, to
 12 the best of their ability and belief.

§ 7. Not less than thirty days after the publication of the said proposals
 2 for bids on a day and at an hour to be specified in the said advertisement.
 3 at the place where the said institution shall be located, in the presence of
 4 the bidders, or so many of the bidders as may be present, the bids received
 5 shall be opened for the first time, and the contract for buildings shall be
 6 let to the lowest and best bidder: *Provided*, that no contracts shall be made
 7 and no expense incurred from any building or buildings, requiring for the
 8 competition [completion] of the same a greater expense than is provided for in the
 9 appropriation made in this act: *And, provided, further*, that no bid shall be
 10 accepted which is not accompanied by a good and sufficient bond in the
 11 penal sum of ten thousand dollars, signed by at least three good and

12 sufficient sureties, conditioned as a guaranty for the responsibility and good
 13 faith of the bidder, and that he will enter into contract and give bonds as
 14 provided in this act, in case his bid is accepted: *Provided, also*, that the
 15 commissioners of the penitentiary at Joliet may bid and become contrac-
 16 tors in behalf of the State on any and all contracts in which they deem it
 17 to be for the interest of the penitentiary and the State, and which they
 18 have the means to execute; and it shall be the duty of said commissioners
 19 to faithfully perform such contracts as they may make, but the said com-
 20 missioners shall not be required to give the bond required of the other
 21 bidders and contractors.

§ 8. The contract to be made with the successful bidder shall be accom-
 2 panied by a good and sufficient bond, to be approved by the Governor, be-
 3 force accepted, conditioned for the faithful performance of his contract, and
 4 the said contract shall provide for the appointment of a superintendent of
 5 construction, who shall not receive more than five dollars per day for his
 6 services, and who shall carefully and accurately measure the work and the
 7 materials upon the ground at least once in every month, and for the pay-
 8 ment of the contractor upon the aforesaid measurement and for the with-
 9 holding of fifteen per cent. of the value of the work done and materials on
 10 hand until the completion of the building; and for a forfeiture of a stipu-
 11 lated sum per diem for every day that the completion of the work shall
 12 be delayed after the time specified for its completion in the contract; and
 13 for the full protection of all persons who may furnish labor or materials
 14 for the construction of said hospital buildings, by withholding payment
 15 from the contractor, and by paying the parties to whom any moneys are
 16 due for services or materials as aforesaid, directly, for all work done or
 17 materials furnished by them, in case of notice given to the trustees that
 18 any such party apprehends or fears that he will not receive the money due;
 19 and for the settlement of all disputed questions as to the value of altera-
 20 tions and extras, by arbitration at the time of final settlement, as follows:
 21 One arbitrator to be chosen by the trustees, one by the contractor, and one
 22 by the Governor of the State, all three of said arbitrators to be practical

23 mechanics and builders; and for the power and privilege of the trustees,
 24 under the contract, to order changes in the plans at their discretion, and to
 25 refuse to accept any work which may be done not fully in accordance with
 26 the letter and spirit of the plans and specifications; and all work not ac-
 27 cepted shall be replaced at the expense of the contractor; and for a deduc-
 28 tion from the contract price of all alterations ordered by the trustees which
 29 may and do diminish the cost of all buildings. They may also make such
 30 other provisions and conditions in the said contract, not herein above spec-
 31 ified, as may seem to them necessary or expedient: *Provided*, that no condi-
 32 tions shall be inserted contrary to the letter and spirit of this section. And
 33 that in no event shall the State be liable for a greater amount of money
 34 than is appropriated for said buildings and its appurtenances.

§ 9. The said contract shall be signed by the president of the board of
 2 trustees on behalf of the board, after a vote authorizing him so to sign
 3 shall have been entered upon the minutes of the board, and it shall be
 4 attested by the counter-signature of the secretary of the board, and by the
 5 seal of the institution. It shall be drawn in triplicate, and one copy of
 6 the same shall deposited in the office of the Board of Public Charities of
 7 this State.

§ 10. All bids shall show the estimated cost of the work to be done of
 2 each description in detail; and the trustees shall have the right and power,
 3 at their discretion, to accept bids for particular portions of the work, if for
 4 the advantage of the State; and all measurements and accounts, as the work
 5 progresses, shall show in detail the amount and character of the work for
 6 which payment is made.

§ 11. The cost of location, including the cost of a suitable site, may be
 2 paid out of the appropriation herein made, but shall not exceed twenty
 3 thousand dollars. The commission to locate the hospital shall receive their
 4 actual traveling expenses, as certified by them under oath, and a per diem
 5 of five dollars for each day actually employed in the discharge of the duties
 6 imposed upon them by this act, not to exceed thirty days in all.

§ 12. The moneys herein appropriated shall be paid to the parties to whom they may become due and payable, directly from the treasury of the State, on the warrant of the Auditor of Public Accounts; and the Auditor is hereby authorized and required to draw the said warrants for moneys due under this act, upon the order of the board of trustees, accompanied by vouchers approved by Governor, as now provided by law.

§ 13. No trustee or officer of the said institution shall be in any way interested in any contract for the erection of said buildings, or furnishing any material for said buildings; and if any such trustee or officer shall be so interested, he shall be deemed guilty of a high misdemeanor, and on conviction thereof be fined in any sum not exceeding ten thousand dollars.

§ 14. Before making payment for the land for whose purchase provision is made in this act, the seller shall furnish to the trustees an abstract of title, which shall be submitted by the trustees to the Attorney General for examination, and to the Governor for his approval, and no moneys shall be paid for the said lands without a perfect conveyance of title, in fee simple, to the State of Illinois by a warranty deed.

1. Introduced by Mr. Berggren. February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judicial Department.
3. Reported back February 27, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act concerning jurors, and the repeal of certain acts therein named," approved and in force February 11, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section eleven (11) of an act entitled "An act con-
3 cerning jurors, and the repeal of certain acts therein named," approved and
4 in force February 11, 1874, be and it is hereby amended so as to read as
5 follows:
6 "Section 11. It shall be the duty of the sheriff to execute the summons
7 by reading the same or delivering a copy thereof to, or at the usual place
8 of abode of, each of the persons directed to be summoned to constitute the
9 jury as aforesaid, and to make return thereof on or before the return day,
10 to the clerk of the court in which said jurors are to serve, with an endorse-
11 ment thereon, certifying on whom it has been executed, and the time when;
12 and in default of so doing, such sheriff or other officer shall be considered
13 as guilty of a contempt, and may be fined, for the use of the proper county,
14 in any sum not less than \$10 nor more than \$200; and it shall be the duty
15 of the court, upon the return of such summons, to inquire into the cause of
16 any failure to serve any such juror, and unless he shall find that the sheriff
17 has used proper diligence to serve such juror, he shall inflict the fine afore
18 said. In a copy of said summons it shall not be necessary to enter the

19 names and residences of all the jurors, but shall be sufficient to recite the
20 name and residence of the person to be served by such copy, and adding
21 thereto: 'Among others as set forth in the original summons.'"

1. Reported to House March 30, 1883.
2. First reading April 7, 1883, and referred to Committee on Judicial Department.
3. Reported back, passage recommended, report concurred in, and ordered to second reading, April 20, 1883.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act concerning jurors, and the repeal of certain acts therein named," approved and in force February 11, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section eleven (11) of an act entitled "An act
3 concerning jurors, and the repeal of certain acts therein named," approved
4 and in force February 11, 1874, be, and it is hereby amended so as to read as
5 follows:
6 "Section 11. It shall be the duty of the sheriff to execute the summons
7 by reading the same or delivering a copy thereof to, or at the usual place of
8 abode of, each of the persons directed to be summoned to constitute the
9 jury as aforesaid, and to make return thereof on or before the return day,
10 to the clerk of the court in which said jurors are to serve with an indorsment
11 thereon, certifying on whom it has been executed, and the time when; and
12 in default of so doing, such sheriff or other officer shall be considered as
13 guilty of a contempt, and may be fined, for the use of the proper county, in
14 any sum not less than \$10 nor more than \$200; and it shall be the duty of
15 the court, upon the return of such summons, to inquire into the cause of
16 any failure to serve any such juror, and unless he shall find that the sheriff
17 has used proper diligence to serve such juror, he shall inflict the fine
18 aforesaid. In a copy of said summons it shall not be necessary to enter the

19 names and residences of all the jurors, but shall be sufficient to recite the
20 name and residence of the person to be served by such copy, and adding
21 thereto: 'Among others as set forth in t' e original summons.'

1. Introduced by Mr. Bridges, February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to the Committee on Railroads.
3. Reported back March 1, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to prevent incorporated railroad companies, or the lessees of such companies, or any co-partnership owning or operating any railroad in whole or in part within this State, from receiving pay for services not rendered in the transportation of freight or passengers, within this State, and to prohibit any railroad company, or the lessees of any such company, or any co-partnership operating any railroad line, in whole or in part in this State, from pooling or dividing their earnings for freight or passenger traffic, within this State, and to provide a punishment for such offenses, a mode of procedure, and rules of evidence in such cases.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any incorporated railroad company, or the lessee of any such company, or any co-partnership operating or running any line of railroad in whole or part within this State, either directly or indirectly to receive any money, or other valuable consideration, on account of any passengers or freight, not actually transported over their line or lines by them so operated.

§ 2 It shall be unlawful for any incorporated railroad company, or the lessee of any such company, or any co-partnership controlling or operating any line or lines of railroad in whole or in part within this State, either directly or indirectly, in this State or out of it, to divide its earnings either from freight or passenger traffic, or to do what is commonly known as

6 "pooling" its earnings with any other incorporated company, or with the
7 lessee of any such company, or with any co-partnership operating any line or
8 lines of railroads wholly or in part within the State of Illinois.

§ 3. Any incorporated railroad company, or lessee, or co-partnership, who
2 shall hereafter violate the provisions of the first section of this act, shall
3 forfeit and pay the sum of one thousand dollars penalty for each violation.
4 And any such company or companies who may violate the second section,
5 by any arrangement or practice in violation of the same, shall forfeit and
6 pay the sum of three thousand dollars for each day or part of a day which
7 they shall pool or divide their earnings, as hereinbefore prohibited.

§ 4. The penalties hereinbefore provided for may be recovered in an
2 action of debt, in the name of the people of the State of Illinois, or in the
3 instances hereinafter mentioned, in an action of debt, in the name of the people
4 of the State of Illinois, to the use of the person suing.

§ 5. If any credible person shall lodge with any one of the Railroad and
2 Warehouse Commissioners of this State a written statement that either of the
3 first two sections of this act have been violated, at any place, either within or
4 without this State, describing sufficiently the parties who have violated the
5 same, it shall be the duty of said Commissioners to institute suit in the courts
6 of this State against the companies so charged, for the recovery of the pen-
7 alty or penalties provided by section three of this act, within twenty
8 days from the receipt of such notice notifying the complaining party of such
9 action, and such Commissioners shall also notify the Attorney-General of all
10 such suits, and may employ such other and additional counsel as they may
11 deem necessary to protect fully the interests of the State; and such suit shall
12 be in no event dismissed or the prosecution discontinued except on the joint
13 consent of the Commissioners and the Attorney-General. The penalty, when
14 recovered, shall be paid, less reasonable attorneys' fees, to be determined by
15 the court trying the cause, to the school fund of the county in which the
16 suit was instituted.

§ 6. In case the Railroad and Warehouse Commissioners shall fail to bring
2 suit for violations of sections one or two for more than twenty days after

3 having received notice, as hereinbefore provided, then any person may, upon
 4 giving bond for costs, bring suit for the penalties prescribed by section three
 5 of this act; and in this instance the penalty, when recovered, shall be paid,
 6 one-half to the person complaining, and the remainder into the school fund
 7 of the county in which the suit was instituted.

§ 7. In prosecutions for violations of this act depositions may be taken as
 2 in ordinary actions at law or in chancery. The notice to take depositions on
 3 behalf of the prosecution may be signed by the Attorney-General or any one
 4 of the Railroad and Warehouse Commission, or any attorney employed by them,
 5 or by any attorney for the prosecution, or in case the prosecution shall be
 6 in the nature of a *qui tam* action, then by the person suing, or his attorney;
 7 and in trials a preponderance of evidence shall be sufficient to convict or
 8 acquit.

§ 8. In prosecutions against any railroad company, lessees of such, or co-
 2 partnership for any violation of this act, the suit shall not abate or be con-
 3 tinued because the company or companies, lessees or co-partnership charged
 4 with such violation, or the companies or parties with whom it shall be alleged
 5 that they have unlawfully divided their earnings, or from whom they have
 6 unlawfully received compensation for services not actually performed, or
 7 either or any of such companies or lessees or co-partnerships, shall not be
 8 correctly described in any style or number: *Provided*, that at least one of
 9 the said companies described in such declaration as having been a party to
 10 such division, or pooling, or charged with receiving unlawful compensation,
 11 shall be correctly or truly described and proven to be guilty of such offense
 12 as alleged.

§ 9. Suits for the violation of this act may be instituted in any county of
 2 this State where service may be had, as provided by the laws of this State
 3 concerning service on corporations in suits of law.



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1. Introduced by Mr. Ray, February 7, 1883, and ordered to first reading.
 2. First reading February 9, 1883, and referred to Committee on Horticulture.
 3. Reported back February 20, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act making appropriation in aid of the Illinois Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That there be appropriated for the use of the Illinois
3 State Horticultural Society the sum of two thousand dollars (\$2,000) per
4 annum for the years 1883 and 1884, to be expended by said society for the
5 purpose and in the manner specified in "An act to reorganize the Illinois
6 Horticultural Society," approved March 24, 1874.



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1. Reported to House March 23, 1883.
 2. First reading March 24, 1883, and referred to Committee on Appropriations.
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A BILL

For An Act making appropriation in aid of the Illinois Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That there be appropriated for the use of the Illinois
3 State Horticultural Society, the sum of two thousand dollars \$2,000) per
4 annum for the years 1883 and 1884, to be expended by said society for the
5 purpose and in the manner specified in "An act to reorganize the Illinois
6 Horticultural Society," ap roved March 24, 1874.



1. Introduced by Mr. Seiter, February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Mines and Mining.
3. Reported back March 6, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the weighing of coal at the mines, and to prescribe the width of opening in screens used at same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That the owner, agent or operator of each and every coal
3 mine or colliery in this State shall furnish, or cause to be furnished and
4 placed upon the switch or railroad track adjacent to said coal mine or col-
5 liery, a "track scale" of standard manufacture, and shall weigh all coal
6 hoisted from said mine or colliery before or at the time of being loaded on
7 cars, wagons or other vehicle of transportation: *Provided*, that in cases where
8 track scales cannot be used, or the product of such mine or colliery will not
9 justify the expense of a track scale, the owner, agent or operator of same
10 shall be permitted to furnish (in lieu of a track scale) a platform scale of
11 sufficient capacity to weigh each box as it is hoisted from such mine or col-
12 liery.

§ 2. All coal produced in this State shall be weighed on the scales as
2 above provided, and the weight so determined shall be considered the basis
3 upon which the wages of persons mining said coal shall be computed.

§ 3. It shall be lawful for the miners employed in any coal mine or col-
2 liery in this State to furnish a check weigher at their own expense, whose
3 duty it shall be to balance said scales and see that the coal is properly

4 weighed, and keep a correct account of same, and for this purpose he shall
5 have access at all times to the "beam box" of said scale while such weighing
6 is being performed.

§ 4 The screens used by the owner, agent or operator of any coal mine
2 or colliery in this State, for the purpose of screening the coal, shall not be
3 more than eight feet wide, nor more than fourteen feet long, and shall be
4 constructed of "diamond shaped" bars, placed not more than seven-eighths of
5 an inch apart.

§ 5. Any person, owner or agent operating a coal mine or colliery in this
2 State, who shall fail to comply with the provisions of this act, or any person
3 who shall obstruct or hinder the carrying out of its requirements, shall be
4 deemed guilty of a misdemeanor and punished accordingly.

AMENDMENTS.

Amend by striking out section 4 of this bill.

Amend by making section 5 of the written bill section 4.

1. Introduced by Mr. Seiter, February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Mines and Mining.
3. Reported back March 6, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 21, 1883, amended and ordered to third reading.

A BILL

For An Act to provide for the weighing of coal at the mines.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General

Assembly: That the owner, agent or operator of each and every coal mine or colliery in this State shall furnish, or cause to be furnished and placed upon the switch or railroad track adjacent to said coal mine or colliery, a "track scale," of standard manufacture, and shall weigh all coal hoisted from said mine or colliery before or at the time of being loaded on cars, wagons or other vehicle of transportation: *Provided*, that in cases where track scales cannot be used, or the product of such mine or colliery will not justify the expense of a track scale, the owner, agent or operator of same shall be permitted to furnish (in lieu of a track scale) a platform scale of sufficient capacity to weigh each box as it is hoisted from such mine or colliery.

§ 2. All coal produced in this State shall be weighed on the scales as above provided, and the weight so determined shall be considered the basis upon which the wages of persons mining said coal shall be computed.

§ 3. It shall be lawful for the miners employed in any coal mine or colliery in this State to furnish a check weigher at their own expense, whose duty it shall be to balance said scales, and see that the coal is properly weighed, and keep a correct account of same, and for this purpose he shall have access at all times to the "beam box" of said scale while such weighing is being performed.

§ 4 Any person, owner or agent operating a coal mine or colliery in this State, who shall fail to comply with the provisions of this act, or any person who shall obstruct or hinder the carrying out of its requirements, shall be deemed guilty of a misdemeanor, and punished accordingly.

1. Reported to House April 5, 1883.
2. First reading April 7, 1883, and referred to Committee on Mines and Mining.
3. Reported back with amendment, passage recommended, report concurred in, and ordered to second reading, April 20, 1883.

AMENDMENT.

Amend by adding at the end of the third section, the following: That the agent employed by persons mining coal, to act as check weighman, shall be an employee in the mines where the coal to be weighed was produced, a citizen of the State and county wherein the mine is situated. He shall, on application to the owner, agent or operator of the mine producing the coal to be weighed, be furnished with a written permit, that shall entitle him to enter and remain in the room or place where the accounting by him of the weights of coal is to be done, and the said permit shall not be transferable: *Provided*, that the provisions of this act shall apply only to coal miners doing business on and shipping coal by railroad or by water.

A BILL

For An Act to provide for the weighing of coal at the mine.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the owner, agent or operator of each and every coal mine or colliery in this State shall furnish, or cause to be furnished and placed upon the switch or railroad track adjacent to said coal mine or colliery, a "track scale," of standard manufacture, and shall weigh all coal hoisted from said mine or colliery before or at the time of being loaded on cars, wagons or other vehicle of transportation: *Provided*, that in cases where track scales cannot be used, or the product of such mine or colliery will not justify the expense of a track scale, the owner, agent or operator of same shall be permitted to furnish (in lieu of a track scale) a platform scale of sufficient capacity to weigh each box as it is hoisted from such mine or colliery.

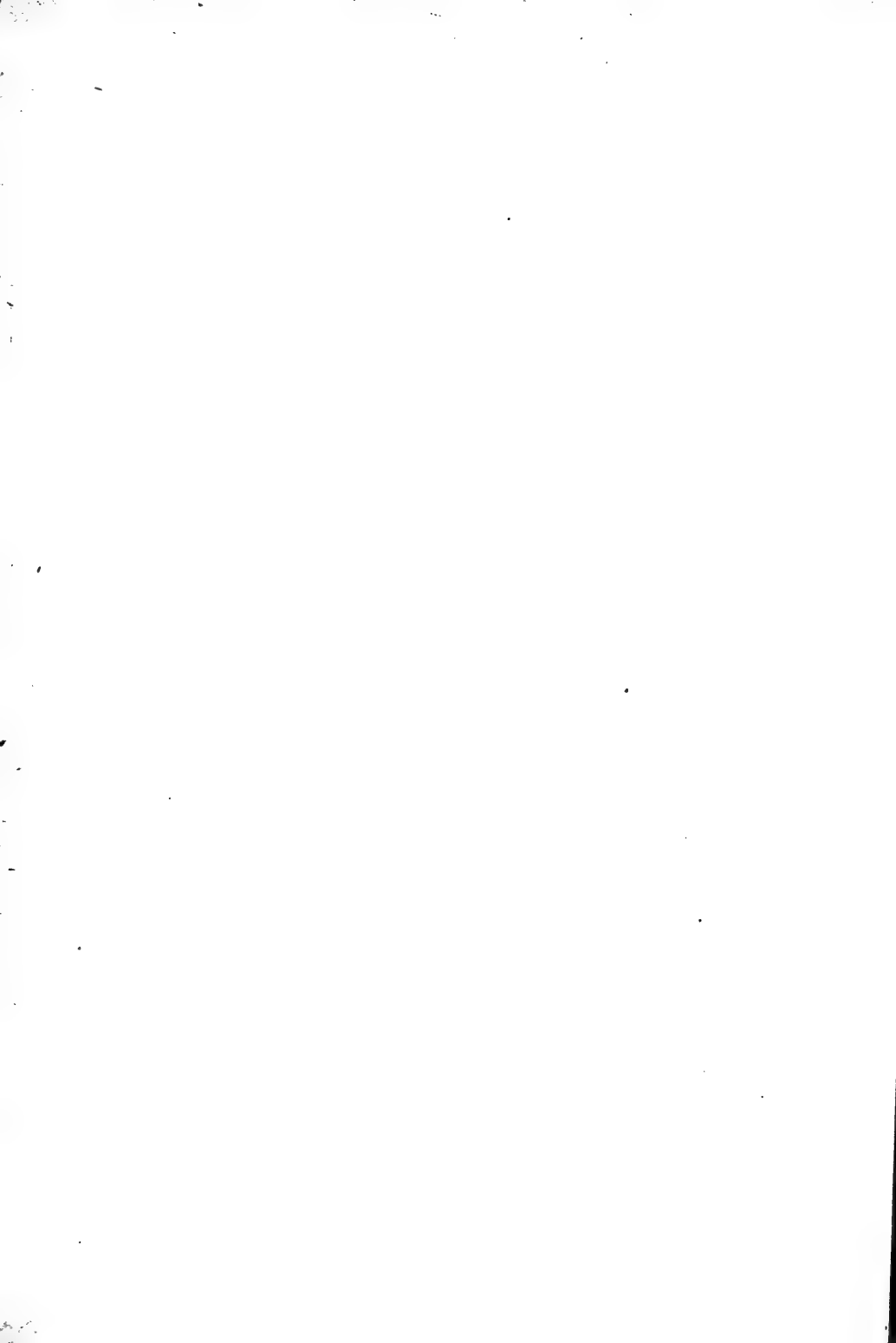
§ 2. All coal produced in this State shall be weighed on the scales as above provided,
and the weight so determined shall be considered the basis upon which the wages of persons
mining said coal shall be computed.

§ 3. It shall be lawful for the miners employed in any coal mine or colliery in this State
to furnish a check weigher at their own expense, whose duty it shall be to balance said scales,
and see that the coal is properly weighed, and keep a correct account of same, and for this
purpose he shall have access at all times to the "beam box" of said scale while such weighing
is being performed.

§ 4. Any person, owner or agent operating a coal mine or colliery in this State, who
shall fail to comply with the provisions of this act, or any person who shall obstruct or hinder
the carrying out of its requirements, shall be deemed guilty of a misdemeanor, and punished
accordingly.

HOUSE AMENDMENT TO SENATE BILL 180

Amend by adding at the end of the third section, the following: "That the
2 agent employed by persons mining coal, to act as check weighman, shall be
3 an employee in the mines where the coal to be weighed was produced, a
4 citizen of the State and county wherein the mine is situated. He shall, on
5 application to the owner, agent or operator of the mine producing the coal to
6 be weighed, be furnished with a written permit, that shall entitle him to
7 enter and remain in the room or place where the accounting by him of the
8 weights of coal is to be done, and the said permit shall not be transferable:
9 *Provided*, that the provisions of this act shall apply only to coal miners doing
10 business on and shipping coal by railroad or by water."



1. Introduced by Mr. Secrest, February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Printing.
3. Reported back February 27, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections twenty-nine (29) and thirty-nine (39) of an act entitled "An act to revise the law in relation to State contracts," approved March 31, 1874.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly.* That sections twenty-nine (29) and thirty-nine (39) of an
- 3 act entitled "An act to revise the law in relation to State contracts,"
- 4 approved March 31, 1874, be amended so as to read as follows:
- 5 "Section 29. Hereafter the number of public documents printed, bound
- 6 and distributed by authority of the State, shall be as follows:
- 7 1. Governor's message, 4,000 copies, of which 2,000 shall be delivered to
- 8 the members of the General Assembly, and 500 copies to the Governor, and
- 9 the remaining 1500 copies be retained for the volume of the reports.
- 10 2. Report of the Secretary of State, 3,000 copies, of which one copy shall
- 11 be delivered to each member, and one copy to each officer of the General
- 12 Assembly, 1500 copies to be retained for the volume of reports, and the
- 13 remainder to be delivered to the Secretary of State.
- 14 3. The financial report of the Auditor of Public Accounts, 8,000 copies, of
- 15 which ten copies shall be delivered to each member and one copy to each
- 16 officer of the General Assembly, one copy to be sent to each county judge,
- 17 county clerk, county treasurer and sheriff, ten copies to be retained for the
- 18 State library, 1500 copies for the volume of reports and the remainder to be
- 19 delivered to the Auditor for judicious distribution.

20 4. The insurance report, 3,000 copies, one copy of which shall be delivered
21 to each member and one copy to each officer of the General Assembly, one
22 copy be sent to each insurance company doing business in the State, ten
23 copies be retained for the State library, and 1500 copies for the volume of
24 reports, and the remainder be delivered to the officer in charge of State
25 supervision of insurance companies.

26 5. The report of the State Treasurer, 2,000 copies, of which one copy shall
27 be delivered to each member and one to each officer of the General Assembly,
28 ten copies to be retained for the State library, and 1500 copies for
29 the volume of reports, and the remainder be delivered to the State
30 Treasurer.

31 6. The report of the Superintendent of Public Instruction, 6,000 copies,
32 one copy of which shall be delivered to each member, and one copy to each
33 officer of the General Assembly, one copy to be sent to each county superintend-
34 ent of schools, one copy to each board of township trustees, ten copies to be
35 retained for the State library, and 1,000 copies to be delivered equally to
36 the members of the General Assembly, and the remainder be delivered to
37 the State Superintendent of Public Instruction.

38 7. The report of the Adjutant General, 2,000 copies, of which one copy
39 shall be delivered to each member, and one copy to each officer of the
40 General Assembly, ten copies be retained for the State library, and 1500
41 copies for the volume of reports, and the remainder to be delivered to the
42 Adjutant-General.

43 8. The report of the State Board of Agriculture, 10,000 copies, of which one
44 copy shall be delivered to each member, and one copy to each officer of the Gen-
45 eral Assembly, ten copies be retained for the State library, 1,000 copies be
46 deposited with the Secretary of State for general distribution, and the
47 remaining volumes be delivered to the State Board of Agriculture for judicious
48 distribution.

49 9. The report of the Industrial University, 4,000 copies, of which one copy
50 shall be delivered to each member, and one to each officer of the General

51 Assembly, ten copies be retained for the State library, 500 copies be delivered
52 to the Secretary of State for distribution, and the remainder to the said
53 university for judicious distribution.

54 10. The report of the State Board of Public Charities, 4,000 copies, of which
55 one copy shall be delivered to each member, and one to each officer of the
56 General Assembly, ten copies be retained for the State library, and 1500 copies
57 for the volume of reports, one copy to be sent to each public library in the
58 State, one copy each to every judge, county clerk and sheriff, 500 copies to be
59 deposited in the office of the Secretary of State for general distribution, and
60 the balance remaining be delivered to the Commissioners of Public Charities
61 for such exchanges and judicious distribution as they may deem proper.

62 11. The report of the Railroad and Warehouse Commissioners, 4,000 copies,
63 of which one copy shall be delivered to each member, and one to each officer of
64 the General Assembly, ten copies be retained for the State library, one copy be
65 sent to each county clerk, one copy to each county board, 100 copies be
66 delivered to the Secretary of State for general distribution, and the remainder
67 to said commissioners.

68 12. All other public reports (except reports of committees of the Senate and
69 House of Representatives) required to be made to the Governor or the
70 General Assembly, 3,500 copies each, of which one copy shall be delivered to
71 each member, and one to each officer of the General Assembly, ten copies
72 be retained for the State library, and 1500 copies for the volume of reports,
73 150 copies be delivered to the Secretary of State for general distribution,
74 and the remainder to the institution, trustees, commissioners, or officer
75 making the report.

76 13. The volume of public laws, 8,000 copies, of which one copy shall be
77 sent to each member of the General Assembly enacting the same, and one
78 copy to each member of the first next succeeding General Assembly, and
79 one copy to each judge, State's attorney, county and circuit clerk, Supreme
80 Court clerk, each county board, sheriff, treasurer, county collector, police
81 magistrates and justices of the peace, two copies be delivered to each State
82 department, 100 copies be retained for the State library, two copies for

83 each public library, ten copies for the Supreme Court law library of each
84 division, and the remainder be delivered to the Secretary of State for
85 judicious distribution.

86 14. The bound volumes of House and Senate journals, and volumes of
87 reports, 1500 copies, one copy to be sent to each member and officer of the
88 General Assembly, one copy to each officer of the executive departments,
89 ten copies to the State library, two copies to the office of each county
90 clerk, and the remainder to the Secretary of State for judicious distri-
91 bution.

92 "Section 39. Of the number of laws, journals and volumes of reports
93 required to be printed, six hundred copies of the laws and three hundred
94 copies of the journals and volumes of reports, shall be bound in the second
95 class of binding, as described in section 37 of this act; and of the number
96 of reports required to be printed, three thousand copies each of that of
97 the Superintendent of Public Instruction and Railroad and Warehouse
98 Commissioners; two thousand copies each of the State Board of Public
99 Charities and Industrial University; sixty-five hundred copies of the
100 Auditor of State; five hundred copies of the Secretary of State and other
101 State officers; one thousand copies of insurance report; and ten thousand
102 copies of the report of the State Board of Agriculture, shall be bound in
103 the third class of binding as described in section 37 of this act. The laws,
104 journals and the volumes of reports, except as hereinbefore provided in
105 this section, shall be bound in the first class binding as described in section
106 37 of this act; the reports, except as hereinbefore provided in this section,
107 shall be bound in the fourth class of binding as described in section 37 of
108 this act."

1. Reported to House March 30, 1883.
 2. First reading April 7, 1883, and referred to Committee on Printing.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading May 25, 1883.
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An Act to amend sections twenty-nine (29) and thirty-nine (39) of an act entitled
"An act to revise the law in relation to State contracts," approved March
31, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 *General Assembly:* That sections twenty-nine (29) and thirty-nine (39) of an
3 act entitled "An act to revise the law in relation to State contracts," ap-
4 proved March 31, 1874, be amended, so as to read as follows:

5 "Section 29. Hereafter the number of public documents printed, bound
6 and distributed by authority of the State shall be as follows:

7 *First*—Governor's message, 4,000 copies; of which 2,000 shall be delivered to
8 the members of the General Assembly, and 500 copies to the Governor and
9 the remaining 1500 copies be retained for the volume of the reports.

10 *Second*—Report of the Secretary of State, 3,000 copies; of which one copy
11 shall be delivered to each member and one copy to each officer of the Gen-
12 eral Assembly, 1500 copies to be retained for the volume of reports, and the
13 remainder to be delivered to the Secretary of State.

14 *Third*—The financial report of the Auditor of Public Accounts, 8,000 copies;
15 of which ten copies shall be delivered to each member and one copy to each
16 officer of the General Assembly, one copy to be sent to each county judge,
17 county clerk, county treasurer and sheriff, ten copies to be retained for the
18 State library, 1500 copies for the volume of reports and the remainder to be
19 delivered to the Auditor for judicious distribution.

20 *Fourth*—The Insurance report, 3,000 copies; one copy of which shall be de-
 21 livered to each member and one copy to each officer of the General Assembly,
 22 one copy be sent to each insurance company doing business in the State, ten
 23 copies be retained for the State library, and 1500 copies for the volume of
 24 reports, and the remainder be delivered to the officer in charge of State
 25 supervision of insurance companies.

26 *Fifth*—The report of the State Treasurer, 2,000 copies; of which one copy shall
 27 be delivered to each member and one to each officer of the General Assembly,
 28 ten copies to be retained for the State library and 1500 copies for the vol-
 29 ume of reports, and the remainder be delivered to the State Treas-
 30 urer.

31 *Sixth*—The report of the Superintendent of Public Instruction, 6,000 copies;
 32 one copy of which shall be delivered to each member and one copy to each
 33 officer of the General Assembly, one copy to be sent to each county superintend-
 34 ent of schools, one copy to each board of township trustees, ten copies to be
 35 retained for the State library, and 1,000 copies to be delivered equally to
 36 the members of the General Assembly, and the remainder be delivered to the
 37 State Superintendent of Public Instruction.

38 *Seventh*—The report of the Adjutant-General, 2,000 copies; of which one
 39 copy shall be delivered to each member and one copy to each officer of the
 40 General Assembly, ten copies be retained for the State library, and 1500
 41 copies for the volume of reports, and the remainder to be delivered to the
 42 Adjutant-General.

43 *Eighth*—The report of the State Board of Agriculture, 10,000 copies; of which
 44 one copy shall be delivered to each member and one copy to each officer of
 45 the General Assembly, ten copies be retained for the State library, 1,000 copies
 46 be deposited with the Secretary of State for general distribution, and the re-
 47 maining volumes be delivered to the State Board of Agriculture for judicious
 48 distribution.

49 *Ninth*—The report of the Industrial University, 4,000 copies; of which one
 50 copy shall be delivered to each member and one to each officer of the General
 51 Assembly, ten copies be retained for the State library, 500 copies be delivered

52 to the Secretary of State for distribution and the remainder to the said uni-
 53 versity for judicious distribution.

54 *Tenth*—The report of the State Board of Public Charities, 4,000 copies; of
 55 which one copy shall be delivered to each member and one to each officer of
 56 the General Assembly, ten copies be retained for the State library and 1500
 57 copies for the volume of reports, one copy to be sent to each public library in
 58 the State, one copy each to every judge, county clerk and sheriff, 500 copies
 59 to be deposited in the office of the Secretary of State for general distribution,
 60 and the balance remaining be delivered to the Commissioners of Public
 61 Charities for such exchanges and judicious distribution as they may deem proper

62 *Eleventh*—The report of the Railroad and Warehouse Commissioners, 4,000
 63 copies; of which one copy shall be delivered to each member and one to each
 64 officer of the General Assembly, 10 copies be retained for the State library one
 65 copy be sent to each county clerk one copy to each county board, 700 copies be
 66 delivered to the Secretary of State for general distribution and the remainder
 67 to said commissioners.

68 *Twelfth*—All other public reports (except reports of committees of the Senate
 69 and House of Representatives) required to be made to the Governor or the
 70 General Assembly, 3,500 copies each; of which one copy shall be delivered to
 71 each member and one to each officer of the General Assembly, ten copies be
 72 retained for the State library, and 1500 copies for the volume of reports, 150
 73 copies be delivered to the Secretary of State for general distribution, and
 74 the remainder to the institution, trustees, commissioners or officer making
 75 the report.

76 *Thirteenth*—The volume of public laws, 8,000 copies; of which one copy shall
 77 be sent to each member of the General Assembly enacting the same, and one
 78 copy to each member of the first next succeeding General Assembly, and one
 79 copy to each judge, State's attorney, county and circuit clerk, Supreme
 80 Court clerk, each county board, sheriff, treasurer, county collector, police
 81 magistrates and justices of the peace, two copies be delivered to each State
 82 department, 100 copies be retained for the State library, two copies for
 83 each public library, 10 copies for the Supreme Court law library of each

84 division, and the remainder be delivered to the Secretary of State for judi-
 85 cious distribution.

86 *Fourteenth*—The bound volumes of House and Senate journals and volumes
 87 of reports, 1500 copies; one copy to be sent to each member and officer of the
 88 General Assembly, one copy to each officer of the executive departments,
 89 10 copies to the State library, two copies to the office of each county
 90 clerk, and the remainder to the Secretary of State for judicious distribu-
 91 tion.

92 "Section 39. Of the number of laws, journals and volumes of reports re-
 93 quired to be printed, six hundred copies of the laws and three hundred
 94 copies of the journals and volumes of reports, shall be bound in the second
 95 class of binding, as described in section 37 of this act; and of the number
 96 of reports required to be printed, three thousand copies each of that of the
 97 Superintendent of Public Instruction and Railroad and Warehouse Commis-
 98 sioners; two thousand copies each of the State Board of Public Charities
 99 and Industrial University; sixty-five hundred copies of the Auditor of State;
 100 five hundred copies of the Secretary of State and other State officers; one
 101 thousand copies of Insurance report; and ten thousand copies of the report
 102 of the State Board of Agriculture, shall be bound in the third class of bind-
 103 ing as described in section 37 of this act. The laws, journals and the vol-
 104 umes of reports, except as hereinbefore provided in this section, shall be
 105 bound in the first class binding as described in section 37 of this act; the
 106 reports, except as hereinbefore provided in this section, shall be bound in the
 107 fourth class of binding as described in section 37 of this act."

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1. Introduced by Mr. Shaw February 7, 1883, and ordered to first reading.
 2. First reading February 9, 1883, and referred to Committee on Judiciary.
 3. Reported back February 16, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to provide for the release and discharge of certificates of levy on
real estate in the recorder's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That when a certificate of levy upon real estate has been
3 filed in the office of the recorder by any sheriff or coroner, by virtue of any
4 writ of attachment or execution, and such is in any manner satisfied, released,
5 discharged or set aside before the return of such writ of attachment or exe-
6 cution, it shall be the duty of the officer having such writ of attachment or
7 execution in his hands to enter a memorandum, under his hand, of the fact
8 of such satisfaction, release, discharge or setting aside of such levy, in the
9 margin of the record of such certificate in the recorder's office. And in cases
10 where such process is returned before such levy is satisfied, released, dis-
11 charged or set aside, then the plaintiff or plaintiffs, or the person for whose
12 use the suit is brought, or in case the suit is prosecuted to final judgment
13 and the same assigned, the assignee, shall, on request in writing of the owner
14 of such lands levied upon, and tender by him of all reasonable charges for
15 making such release, release the same, either in the margin of the record of
16 such certificate, or by a deed of release, signed and acknowledged in the
17 manner provided by law for the acknowledgment of deeds to real estate,

18 and in case of neglect so to do such person or persons shall, for every such
19 offense, forfeit and pay to the person aggrieved the sum of fifty dollars, to
20 be recovered in an action of debt in any court having jurisdiction.

1. Introduced by Mr. Shaw, February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judiciary.
3. Recommended to Committee on Judiciary, March 13, 1883.
4. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the release and discharge of certificates of levy on real estate in the recorder's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That when a certificate of levy upon real estate has been filed in the office of the recorder, by any sheriff or coroner, by virtue of any writ of attachment or execution, and such is, in any manner, satisfied, released, discharged or set aside, before the return of such writ of attachment or execution, it shall be the duty of the officer having such writ of attachment or execution in his hands, to enter a memorandum under his hand, of the fact of such satisfaction, release, discharge or setting aside of such levy, in the margin of the record of such certificate in the recorder's office. And in cases where such process is returned before such levy is satisfied, released, discharged or set aside, then the plaintiff or plaintiffs, or the person for whose use the suit is brought, or in case the suit is prosecuted to final judgment, and the same assigned, the assignee shall, on request in writing, of the owner of such lands levied upon, and tender by him of all reasonable charges for making such release, release the same, either in the margin of the record of such certificate, or by a deed of release, signed and acknowledged in the manner provided by law for the acknowledgment of deeds to real estate; and in case of neglect so to do, such person or persons shall, for

19 every such offense, forfeit and pay to the person aggrieved, the sum of fifty
20 dollars, to be recovered in an action of debt in any court having jurisdic-
21 tion.

**AMENDMENTS TO SENATE BILL NO. 183, PROPOSED BY THE COM-
MITTEE ON JUDICIARY.**

1. Amend by inserting after the word "such," in line 7, of Section 1, the
2 word "levy."
- 3 2. Amend by inserting after the words "set aside," in line 21, of Section
4 1, the following: "And the same is, after such return, in any manner satis-
5 fied, released, discharged or set aside."

1. Introduced by Mr. Shaw, February 7, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judiciary.
3. Reported back February 16, 1883, passage recommended, and ordered to second reading.
4. Second reading March 7, 1883, and ordered to third reading.
5. Recommitted to Judiciary, March 13, 1883.
6. Reported back March 14, 1883, with amendments, passage recommended, and ordered to a second reading.
7. Second reading April 10, 1883, amended and ordered to a third reading.

A BILL

For An Act to provide for the release and discharge of certificates of levy on real estate in the recorder's office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly: That when a certificate of levy upon real estate has been filed in the office of the recorder, by any sheriff or coroner, by virtue of any writ of attachment or execution, and such levy is, in any manner, satisfied, released, discharged or set aside before the return of such writ of attachment or execution, it shall be the duty of the officer having such writ of attachment or execution in his hands, to enter a memorandum, under his hand, of the fact of such satisfaction, release, discharge, or setting aside of such levy, in the margin of the record of such certificate in the recorder's office. And in cases where such process is returned before such levy is satisfied, released, discharged or set aside, and the same is, after such return, in any manner satisfied, released, discharged or set aside, then the plaintiff or plaintiffs, or the person for whose use the suit is brought, or in case the suit is prosecuted to final judgment and the same assigned, the assignee, shall, on request, in writing, of the owner of such lands levied upon, and tender by him of all reasonable charges for making such release, release the same, either in the margin of the record of such certificate, or by a deed of

18 release, signed and acknowledged in the manner provided by law for the
19 acknowledgment of deeds to real estate; and in case of neglect so to do,
20 such person or persons shall, for every such offense, forfeit and pay to the
21 person aggrieved the sum of fifty dollars, to be recovered in an action of
22 debt in any court having jurisdiction.

1. Introduced by Committee on Appropriations, February 8, 1883, and ordered to first reading.
2. First reading February 8, 1883, and ordered to a second reading.

A BILL

or An Act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State government.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated the sum of nine hundred thousand dollars (\$900,000,) or such sum as may be necessary, to pay the officers and members of the next General Assembly and the salaries of the officers of the State government at such rate of compensation as is now or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

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1. Introduced by Committee on Appropriations, February 8, 1883, and ordered to first reading.
 2. First reading February 8, 1883, and ordered to a second reading.
 3. Second reading February 17, 1883, and ordered to a third reading.
-

A BILL

For An Act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State government.

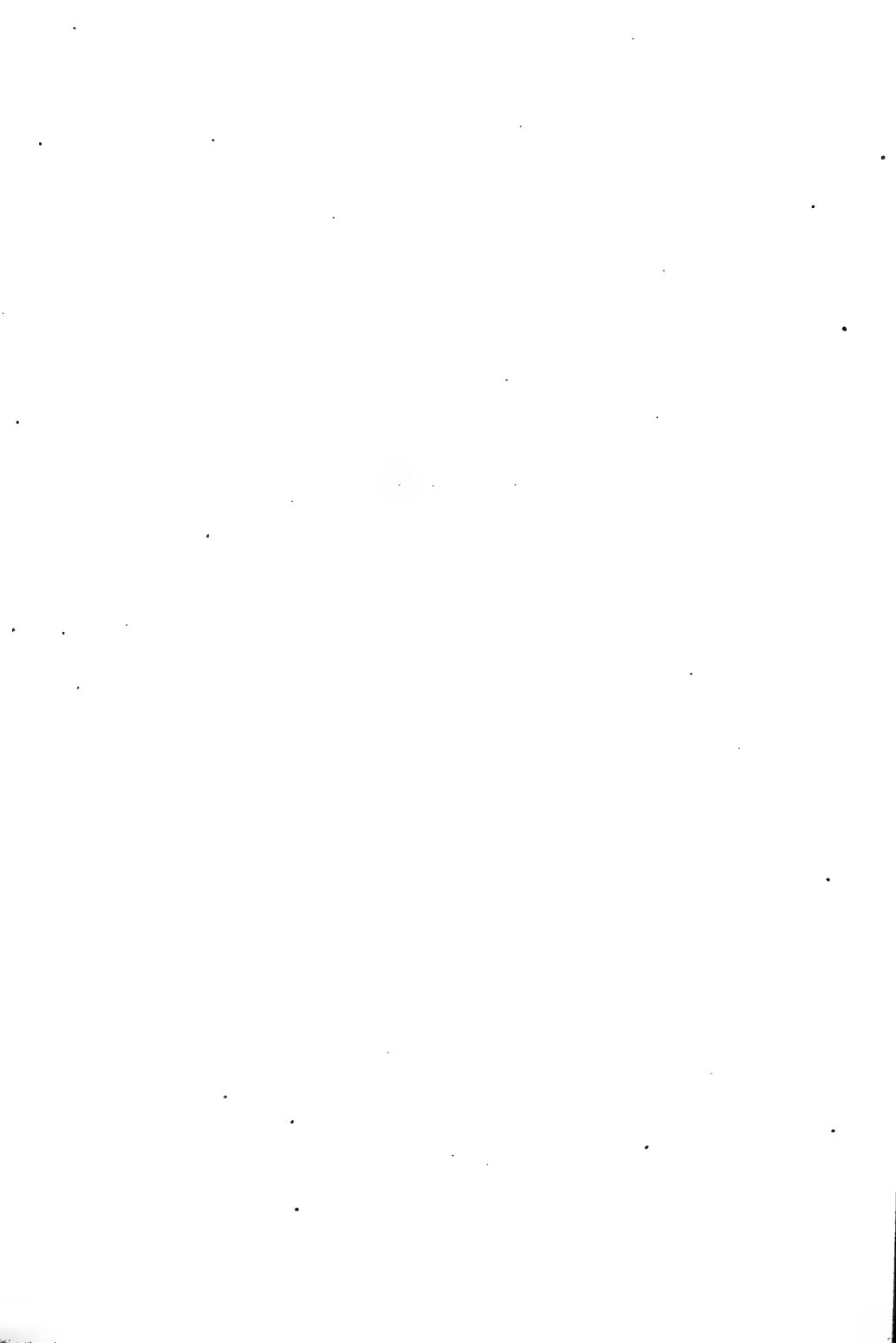
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That there be and is hereby appropriated the sum of eight
3 hundred thousand dollars (\$800,000) or such sum as may be necessary, to pay
4 the officers and members of the next General Assembly and the salaries of
5 the officers of the State government at such rate of compensation as is now
6 or hereafter may be fixed by law, until the expiration of the first fiscal
7 quarter after the adjournment of the next regular session of the General
8 Assembly.

1. Reported to House February 28, 1883.
2. First reading March 10, 1883, and referred to Committee on Appropriations.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 20, 1883.

A BILL

For An Act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State government.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be, and is hereby appropriated the sum of eight hundred thousand dollars (\$800,000), or such sum as may be necessary to pay the officers and members of the next General Assembly, and the salaries of the officers of the State government, at such rate of compensation as is now, or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.



1. Introduced by Committee on Appropriations, February 8, 1883, and ordered to first reading.
2. First reading February 8, 1883, and ordered to a second reading.

A BILL

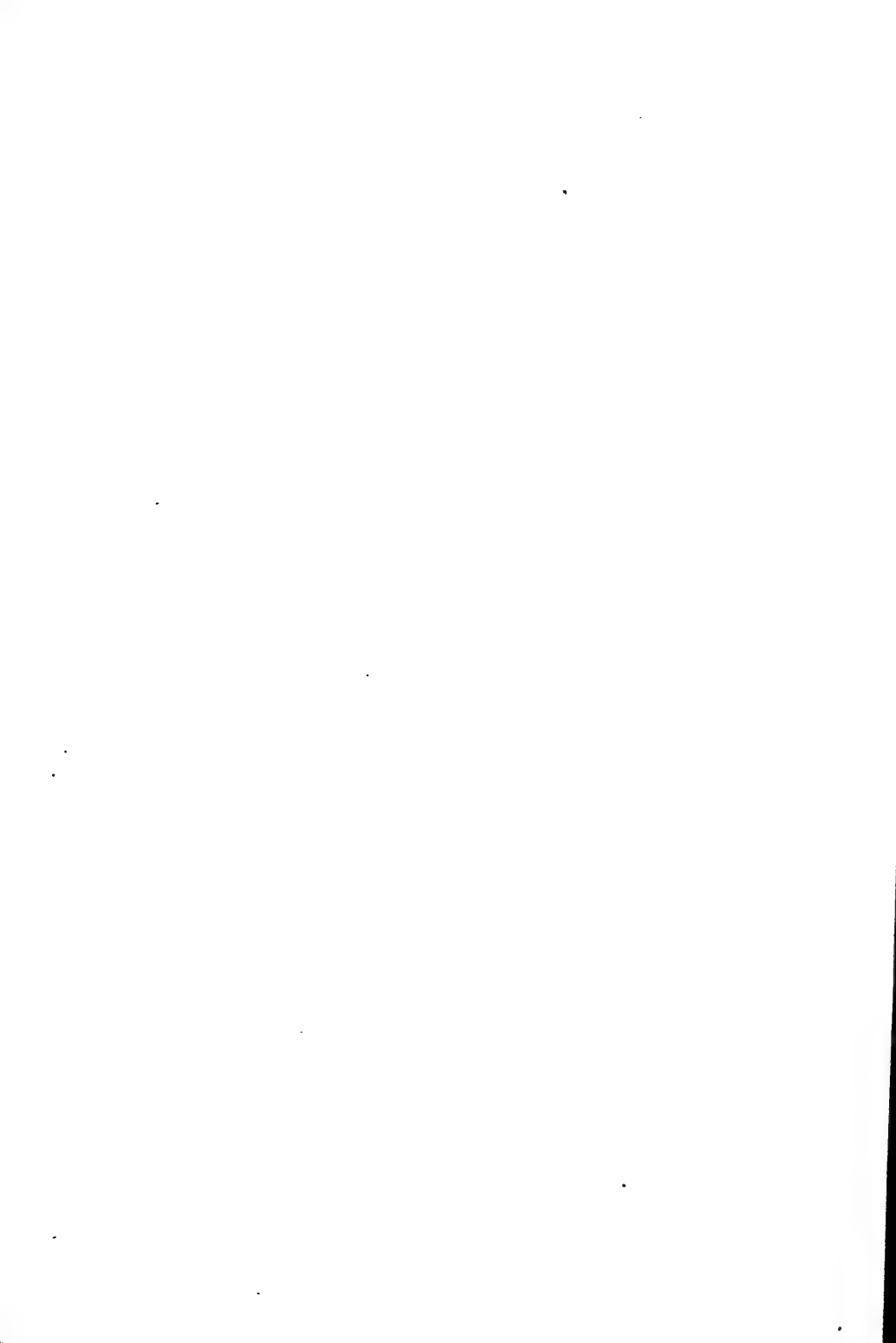
For An Act making an appropriation to pay the claim of Robert Wilson for his services and expenses as surveyor, appointed by the commission of claims, of the State of Illinois, allowed by said commission.

WHEREAS, the commission of claims at its session in August, 1882, did, in pursuance of act approved May 30, 1881, appoint Robert Wilson, of Ottawa, Illinois, as surveyor to go upon lands claimed to have been damaged by overflow of Illinois river, occasioned by the dam at Copperas creek, and to report notes and profiles for the information of said commission:

AND WHEREAS, said Robert Wilson did act under said appointment and furnish said commission with the desired notes and profiles:

AND WHEREAS, the sum of twenty-five hundred and forty-five dollars and nineteen cents (\$2,545.19) has been awarded to said Robert Wilson, by the commission of claims, for services of self and assistants, and expenses incurred as such surveyor; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That there be and is hereby appropriated to the said Robert Wilson, the sum of twenty-five hundred and forty-five dollars and nineteen cents, (\$2,545.19) for services and expenses of self and assistants as surveyor, appointed by the commission of claims, said amount to be paid to said Robert Wilson, on warrant of the auditor, out of any money in the treasury not otherwise appropriated.



1. Introduced by Committee on Appropriations, February 8, 1883, and ordered to first reading.
2. First reading February 8, 1883, and ordered to a second reading.
3. Second reading February 17, 1883, amended and ordered to a third reading.

A BILL

For An Act making an appropriation to pay the claim of Robert Wilson for his services and expenses as surveyor, appointed by the commission of claims, of the State of Illinois, allowed by said commission.

WHEREAS, the commission of claims at its session in August, 1882, did, in pursuance of act approved May 30, 1881, appoint Robert Wilson, of Ottawa, Illinois, as surveyor to go upon lands claimed to have been damaged by overflow of Illinois river, occasioned by the dam at Copperas creek, and to report notes and profiles for the information of said commission:

AND WHEREAS, said Robert Wilson did act under said appointment and furnish said commission with the desired notes and profiles:

AND WHEREAS, the sum of twenty-five hundred and forty-five dollars and nineteen cents (\$2,545.19) has been awarded to said Robert Wilson, by the commission of claims, for services of self and assistants, and expenses incurred as such surveyor; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated to the said Robert Wilson, the sum of twenty-five hundred and forty-five dollars and nineteen cents (\$2,545.19), for services and expenses of self and assistants as surveyor, appointed by the commission of claims, said amount to be paid to said Robert Wilson, on warrant of the auditor, out of any money in the treasury not otherwise appropriated. Before the auditor shall deliver to said

8 Wilson his warrant for the moneys hereby appropriated, the said Wilson
9 shall file with the auditor an itemized statement of the amounts constituting
10 said account, together with receipts from said Wilson's assistants.

1. Reported to House February 28, 1883.
2. First reading March 10, 1883, and referred to Committee on Claims, and reported back and referred to Committee on Appropriations, April 24, 1883.
3. And reported back, passage recommended, report concurred in, and ordered to second reading May 4, 1883.

A BILL

For An Act making an appropriation to pay the claim of Robert Wilson for his services and expenses as surveyor, appointed by the Commission of Claims of the State of Illinois, allowed by said commission.

WHEREAS, the Commission of Claims, at its session in August, 1882, did, in pursuance of act approved May 30, 1881, appoint Robert Wilson, of Ottawa, Illinois, as surveyor to go upon lands claimed to have been damaged by overflow of Illinois river, occasioned by the dam at Copperas creek, and to report notes and profiles for the information of said commission;

AND WHEREAS, said Robert Wilson did act under said appointment and furnish said commission with the desired notes and profiles;

AND WHEREAS, the sum of twenty-five hundred and forty-five dollars and nineteen cents (\$2,545.19), has been awarded to said Robert Wilson, by the Commission of Claims, for services of self and assistants, and expenses, incurred as such surveyor; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby appropriated to the said Robert Wilson, the sum of twenty-five hundred and forty-five dollars and nineteen cents (\$2,545.19), for services and expenses of self and assistants as surveyor, appointed by the Commission of Claims, said amount to be paid to said Robert Wilson, on warrant of the Auditor, out of any money in the

7 treasury not otherwise appropriated. Before the Auditor shall deliver to said
8 Wilson his warrant for the moneys hereby appropriated, the said Wilson
9 shall file with the Auditor an itemized statement of the amounts constituting
10 said account, together with receipts from said Wilson's assistants.

1. Introduced by Mr. Cloonan, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judiciary.
3. Reported back March 7, 1883, and referred to Committee on Municipalities.
4. Reported back March 14, 1883, passage recommended, and ordered [to second reading.

A BILL

For An Act to amend an act entitled "An act for the regulation of pawnbrokers," approved June 4, A. D. 1879, in force July 1, 1879.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly, That "An act for the regulation of pawnbrokers," approved*
3 *June 4, 1879, in force July 1, 1879, be amended by adding the following sections*
4 *thereto:*

5 "Section 4. Such pawnbrokers shall keep a register, in a well-bound book
6 for that purpose, of each article pledged, with a minute description thereof,
7 the time for redemption of the same, the rate of interest per year or per
8 month charged the pledger by such pawnbroker upon such pledge, the
9 actual amount of money advanced the pledger thereon, and the name of the
10 pledger, which register shall at all times be open for inspection by any peace
11 officer of this State.

12 "Section 5. Such pawnbroker shall, quarterly, during the first week in January,
13 April, July and October of each year, publish in a newspaper (daily, if there
14 be such) in the town or city in which he carries on ——— business, and if
15 there is not a newspaper published in such town or city, then by posting six
16 notices in the most conspicuous places in such town or city, a full and
17 complete list of all unredeemed articles or pledges in his possession, the
18 amount of money actually advanced upon each pledge, the rate of interest

19 charged on each loan, and the sum necessary to redeem the same. And be
 20 it further enacted, that no contract, whether in parol or under seal, or any
 21 note, memorandum, bill of sale or any pretended sale, executed by the
 22 pledger to such pawnbroker, or any shift or device made or entered into by
 23 such pledger at any time as evidence of such loan and pledging, shall be
 24 held or construed to divest the pledger of his title in the pledge (but the
 25 transaction shall be held to be a loan and pledging only), except as herein-
 26 after provided, viz: When the full time of redemption of such pledge shall
 27 have elapsed, and the pledger shall fail or refuse to pay such pawnbroker
 28 the sum of money actually advanced to him on such pledge, with interest
 29 thereon allowed by law, after notice in writing to such pledger, or, if he
 30 cannot be found, by publishing notice one week in a newspaper, if there be
 31 such, in the town or city where he carries on business, and if there is not a
 32 newspaper published in such town or city, by posting notices in six of the
 33 most conspicuous places in such town or city, of his intention to sell such
 34 pledge as hereinafter provided, viz: He shall make and file his affidavit with
 35 the nearest justice of the peace to his place of business, stating the sum of
 36 money actually advanced on such pledge, the date when such pledge was
 37 made, the rate of interest charged, the sum necessary to redeem such pledge,
 38 a minute description of the same and the name of the pledger, and there-
 39 upon the justice of the peace shall issue his order for the public sale of such
 40 pledge within not less than ten days of the granting of such order; such
 41 sale shall be made by a constable, and upon the same notice as now re-
 42 quired in sales upon execution of personal property.

43 "Section 6. Such pawnbroker shall not open his place of business before
 44 seven o'clock in the forenoon, and shall close the same not later than eight
 45 o'clock in the afternoon of the same day, and he shall not make any loan of
 46 money or other valuable thing, or receive any pledge in any other than his
 47 regular place of business, nor in any rooms, booths or places adjoining his
 48 regular place of business. Any violation of this act shall subject such pawn-
 49 broker to a fine of not less than twenty dollars nor more than fifty dollars
 50 for each offense, to be recovered before any justice of the peace of the town

51 where the offense is committed; one-half the sum recovered to be paid the
52 prosecuting witness, and the other half to any charitable institution, to be
53 designated by the justice before whom the judgment is recovered, and in ad-
54 dition thereto any violation of section five of this act, shall be conclusive
55 evidence of a conversion on the part of the pawnbroker, and the pledger
56 shall have his action accordingly. All prosecutions under this act shall be
57 in the name of the People of the State of Illinois.

**AMENDMENT TO SENATE BILL NO. 194, PROPOSED BY THE COMMIT-
TEE ON MUNICIPALITIES.**

Amend section six (6) of the bill by striking out all after the word "busi-
2 ness," in line fourteen (14), of written bill.



1. Introduced by Mr. Cloonan, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judiciary.
3. Reported back March 7, 1883, with amendments, passage recommended, and ordered to second reading.
4. Recommitted to Committee on Municipalities, March 7, 1883. Reported back, passage recommended March 14, 1883.
5. Second reading April 10, 1883, and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act for the regulation of pawnbrokers," approved June 4, A. D. 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That "An act for the regulation of pawnbrokers,"

3 approved June 4, 1879, in force July 1, 1879, be amended by adding the fol-

4 lowing sections thereto:

5 "Section 4. Such pawnbrokers shall keep a register, in a well-bound book
6 for that purpose, of each article pledged, with a minute description thereof,
7 the time for redemption of the same, the rate of interest per year or per
8 month charged the pledger by such pawnbroker upon such pledge, the
9 actual amount of money advanced the pledger thereon, and the name of the
10 pledger, which register shall at all times be open to inspection by any peace
11 officer of this State.

12 "Section 5. Such pawnbroker shall, quarterly, during the first week in
13 January, April, July and October of each year, publish in a newspaper
14 (daily, if there be such) in the town or city in which he carries on business,
15 and if there is not a newspaper published in such town or city, then by
16 posting six notices in the most conspicuous places in such town or city, a
17 full and complete list of all unredeemed articles or pledges in his possession,
18 the amount of money actually advanced upon each pledge, the rate of

19 interest charged on each loan, and the sum necessary to redeem the same.
20 And be it further enacted, that no contract, whether in parol or under seal,
21 or any note, memorandum, bill of sale or any pretended sale, executed by the
22 pledger to such pawnbroker, or any shift or device made or entered into by
23 such pledger at any time as evidence of such loan and pledging, shall be
24 held or construed to divest the pledger of his title in the pledge (but the
25 transaction shall be held to be a loan and pledging only), except as herein-
26 after provided, viz: When the full time of redemption of such pledge shall
27 have elapsed, and the pledger shall fail or refuse to pay such pawnbroker
28 the sum of money actually advanced to him on such pledge, with interest
29 thereon allowed by law, after notice in writing to such pledger, or, if he
30 cannot be found, by publishing notice one week in a newspaper, if there be
31 such, in the town or city where he carries on business, and if there is not a
32 newspaper published in such town or city, by posting notices in six of the
33 most conspicuous places in such town or city, of his intention to sell such
34 pledge as hereinafter provided, viz: He shall make and file his affidavit with
35 the nearest justice of the peace to his place of business, stating the sum of
36 money actually advanced on such pledge, the date when such pledge was
37 made, the rate of interest charged, the sum necessary to redeem such pledge,
38 a minute description of the same and the name of the pledger, and there-
39 upon the justice of the peace shall issue his order for the public sale of
40 such pledge within not less than ten days of the granting of such order;
41 such sale shall be made by a constable, and upon the same notice as now
42 required in sales upon execution of personal property.

43 "Section 6. Such pawnbroker shall not open his place of business before
44 seven o'clock in the forenoon, and shall close the same not later than eight
45 o'clock in the afternoon of the same day, and he shall not make any loan
46 of money or other valuable thing, or receive any pledge in any other than
47 his regular place of business, nor in any rooms, booths or places adjoining
48 his regular place of business."

1. Introduced by Mr. Cloonan, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judiciary.
3. Reported back March 7, 1883, with amendments, passage recommended, and ordered to second reading.
4. Recommended to Committee on Municipalities, March 7, 1883. Reported back, passage recommended March 14, 1883.
5. Second reading April 10, 1883, and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act for the regulation of pawnbrokers." approved June 4, A. D. 1879, in force July 1, 1879.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 *General Assembly:* That "An act for the regulation of pawnbrokers,"

3 approved June 4, 1879, in force July 1, 1879, be amended by adding the fol-

4 lowing sections thereto:

5 "Section 4. Such pawnbrokers shall keep a register, in a well-bound book
6 for that purpose, of each article pledged, with a minute description thereof,
7 the time for redemption of the same, the rate of interest per year or per
8 month charged the pledger by such pawnbroker upon such pledge, the
9 actual amount of money advanced the pledger thereon, and the name of the
10 pledger, which register shall at all times be open to inspection by any peace
11 officer of this State.

12 "Section 5. Such pawnbroker shall, quarterly, during the first week in
13 January, April, July and October of each year, publish in a newspaper
14 (daily, if there be such) in the town or city in which he carries on business,
15 and if there is not a newspaper published in such town or city, then by
16 posting six notices in the most conspicuous places in such town or city, a
17 full and complete list of all unredeemed articles or pledges in his possession,
18 the amount of money actually advanced upon each pledge, the rate of

19 interest charged on each loan, and the sum necessary to redeem the same.
20 And be it further enacted, that no contract, whether in parol or under seal,
21 or any note, memorandum, bill of sale or any pretended sale, executed by the
22 pledger to such pawnbroker, or any shift or device made or entered into by
23 such pledger at any time as evidence of such loan and pledging, shall be
24 held or construed to divest the pledger of his title in the pledge (but the
25 transaction shall be held to be a loan and pledging only), except as herein-
26 after provided, viz: When the full time of redemption of such pledge shall
27 have elapsed, and the pledger shall fail or refuse to pay such pawnbroker
28 the sum of money actually advanced to him on such pledge, with interest
29 thereon allowed by law, after notice in writing to such pledger, or, if he
30 cannot be found, by publishing notice one week in a newspaper, if there be
31 such, in the town or city where he carries on business, and if there is not a
32 newspaper published in such town or city, by posting notices in six of the
33 most conspicuous places in such town or city, of his intention to sell such
34 pledge as hereinafter provided, viz: He shall make and file his affidavit with
35 the nearest justice of the peace to his place of business, stating the sum of
36 money actually advanced on such pledge, the date when such pledge was
37 made, the rate of interest charged, the sum necessary to redeem such pledge,
38 a minute description of the same and the name of the pledger, and there-
39 upon the justice of the peace shall issue his order for the public sale of
40 such pledge within not less than ten days of the granting of such order;
41 such sale shall be made by a constable, and upon the same notice as now
42 required in sales upon execution of personal property.

43 "Section 6. Such pawnbroker shall not open his place of business before
44 seven o'clock in the forenoon, and shall close the same not later than eight
45 o'clock in the afternoon of the same day, and he shall not make any loan
46 of money or other valuable thing, or receive any pledge in any other than
47 his regular place of business, nor in any rooms, booths or places adjoining
48 his regular place of business."

1. Introduced by Mr. Walker, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 26, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 196, RECOMMENDED BY COMMITTEE ON
APPROPRIATIONS.

1. Amend by striking out all after the words "same of," in the fourth line of section one of
2 written bill, down to and including the word "lots," in the eighth line of section one of written
3 bill, (being for the erection of a cottage for girls; for the purchase of fifty-two acres of land, and
4 for the purchase of four city lots, respectively.)
- 5 2. Amend by striking out the words and figures "fifteen thousand two hundred and thirty-one
6 dollars (\$15,331)," in the eighth and ninth lines of section one of written bill, (being for the
7 erection of kitchen building and employees' quarters,) and insert in lieu thereof the words and
8 figures "six thousand dollars (\$6,000)."
- 9 3. Amend by striking out all after the word "quarters," in the tenth line of section one of
10 written bill, down to and including the word "railroad," in the sixteenth line of section one of
11 written bill, (being for the erection of a gymnasium, bath-rooms and swimming pool, and for a
12 railroad track, respectively.)
- 13 4. Amend by striking out the words and figures "eight thousand one hundred and thirty dol-
14 lars (\$8,130)," (being for a refrigerator house) in the sixteenth line of section one of written bill,
15 and insert in lieu thereof the words and figures "five thousand dollars (\$5,000)."
- 16 5. Amend by striking out all after the words "refrigerator house," down to section two of writ-
17 ten bill, (being for introduction of electric light, etc., into the building of said institution.)

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Deaf and Dumb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and are hereby appropriated to the Illinois Institution for the Education of the Deaf and Dumb, the sum of sixteen thousand two hundred and nineteen dollars (\$16,219), for the erection of a cottage for girls; ten thousand dollars (\$10,000), for the purchase of fifty-two acres of land; six thousand dollars (\$6,000), for the purchase of four city lots; fifteen thousand two hundred and thirty-one dollars (\$15,231), for the erection of kitchen building and employees' quarters; nineteen thousand seven hundred and forty-one dollars (\$19,741), for the erection of a gymnasium, bath-rooms and swimming-pool; six thousand and ninety-eight dollars (\$6,098), for the construction of a railroad track from the store and coal-house of the said Institution to the track of the Wabash, St. Louis and Pacific Railroad; eight thousand one hundred and thirty dollars (\$8,130), for the erection of a refrigerator house; ten thousand five hundred dollars (\$10,500), for the introduction of the electric light (including an additional boiler and engine) into the buildings and grounds of the aforesaid Institution.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid Institution, or their order, on the terms and in the manner now provided by law.

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1. Introduced by Mr. Walker, February 8, 1883, and ordered to first reading.
 2. First reading February 9, 1883, and referred to Committee on State Charitable Institutions.
 3. Reported back April 12, 1883, and referred to Committee on Appropriations.
 4. Reported back April 26, 1883, with amendments, passage recommended, and ordered to second reading.
 5. Second reading May 3, 1883, amended and ordered to third reading.
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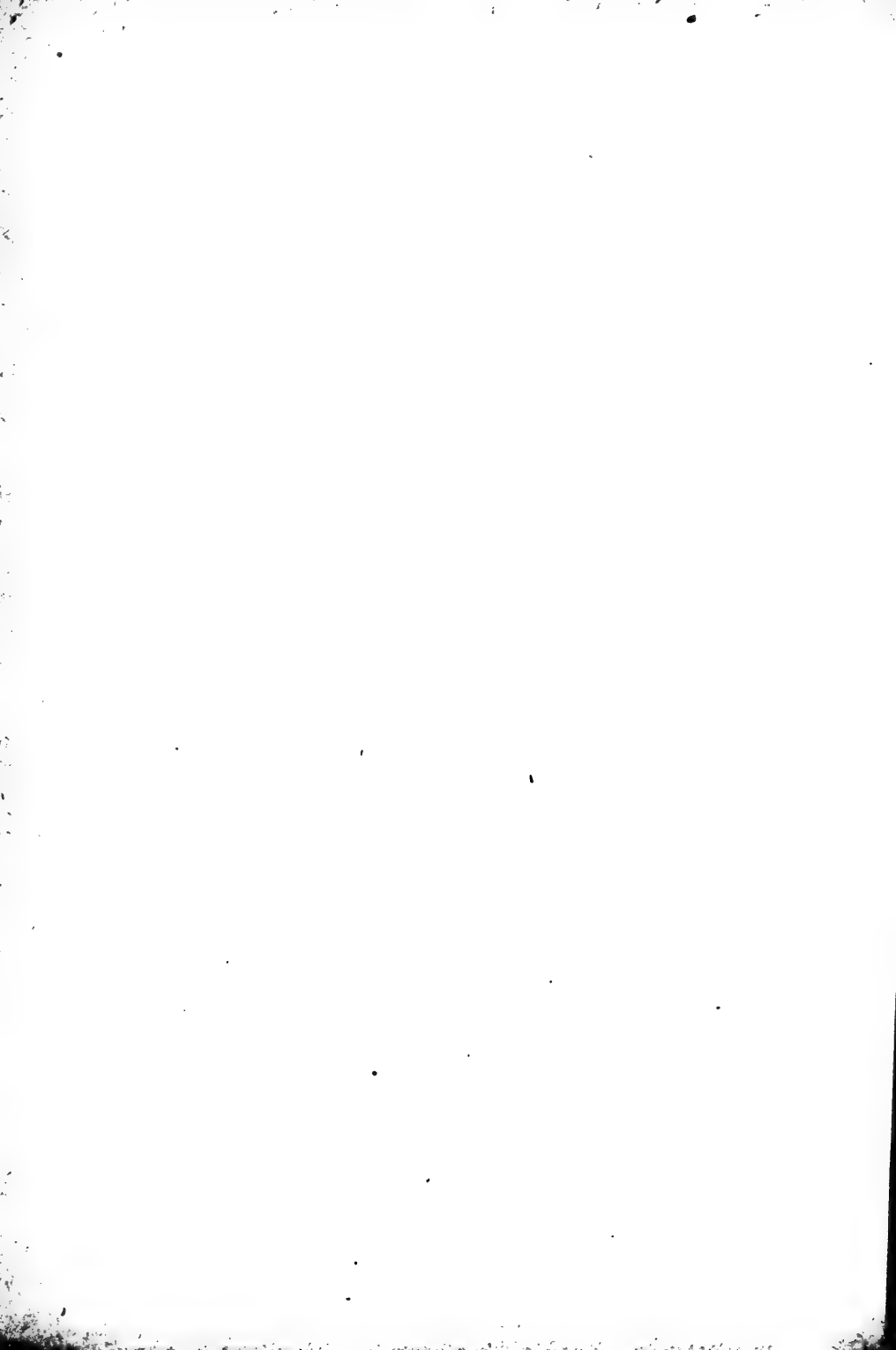
A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Deaf and Dumb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

- 2 *Assembly:* That there be, and are hereby appropriated to the Illinois Institution for the Education of the Deaf and Dumb, the sums of six thousand dollars (\$6,000), for the erection of kitchen building and employees' quarters; five thousand dollars (\$5,000) for the erection of a refrigerator house.

- § 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.



1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations, May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

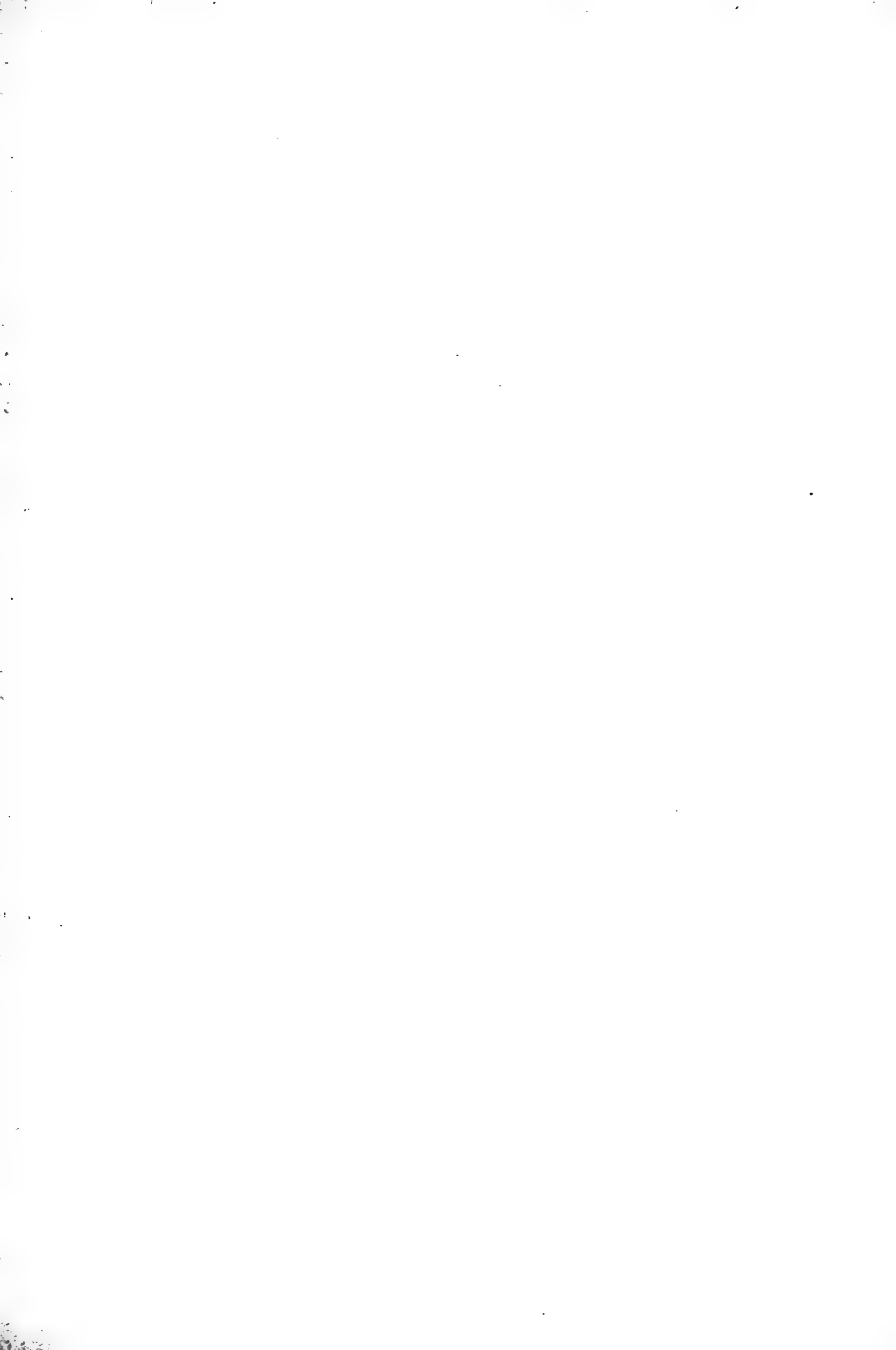
A BILL

For An Act making appropriations for the Illinois Institution for the Education
of the Deaf and Dumb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That there be, and are hereby appropriated to the Illinois
3 Institution for the Education of the Deaf and Dumb, the sums of six thou-
4 sand dollars (\$6,000), for the erection of kitchen building and employees'
5 quarters; five thousand dollars (\$5,000), for the erection of a refrigerator house.

§ 2. The moneys herein appropriated shall be due and payable to the
2 trustees of the aforesaid Institution, or their order, on the terms and in the
3 manner now provided by law.



1. Introduced by Mr. Walker, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 13, 1883, and referred to Committee on Appropriations.
4. Reported back April 19, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 197, RECOMMENDED BY COMMITTEE ON
APPROPRIATIONS.

1. Amend by striking out the words and figures "ninety-eight thousand dollase (\$98,000)" in
2 section 1, line 8 of written bill, and insert in lieu thereof the words and figures "ninety-seven
3 thousand dollase (\$97,000)."
- 4 2. Amend by striking out the words and figures "four thousand dollase (\$4,000)" in section 1,
5 line 14 of written bill, and insert in lieu thereof the words and figures "three thousand dollase
6 (\$3,000)."

A BILL

For An Act for the support of the Illinois Institution for the Education of the Deaf and Dumb, and
for general repairs thereon, and for the pupils' library.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
2 *Assembly:* That, for the purpose of defraying the ordinary expenses of the Illinois Institution
3 for the Education of the Deaf and Dumb, the sum of ninety-eight thousand dollase (\$98,000) per
4 annum is hereby appropriated out of the State Treasury, payable quarterly in advance, from the
5 first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of
6 the next General Assembly. And that there be and is hereby appropriated the further sums of
7 four thousand dollase (\$4,000) per annum for repairs and improvements; and five hundred dollase
8 (\$500) per annum for the pupils' library, from the first day of July, 1883, until the expiration of
9 the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the afore-
2 said institution, or their order, on the terms and in the manner now provided by law.



1. Introduced by Mr. Walker, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 19, 1883, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 1, 1883, amended, and ordered to third reading.

A BILL

For An Act for the support of the Illinois Institution for the Education of the Deaf and Dumb, and for general repairs thereon, and for the pupils' library.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That, for the purpose of defraying the ordinary expenses of the Illinois Institution for the Education of the Deaf and Dumb, the sum of ninety-seven thousand dollars (\$97,000) per annum is hereby appropriated out of the State Treasury, payable quarterly in advance, from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly. And that there be and is hereby appropriated the further sums of two thousand dollars (\$2,000) per annum for repairs and improvements; and five hundred dollars (\$500) per annum for the pupils' library, from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, re-sage recommended, report concurred in, and ordered to second reading May 16, 1883.

COMMITTEE AMENDMENT TO SENATE BILL NO. 197.

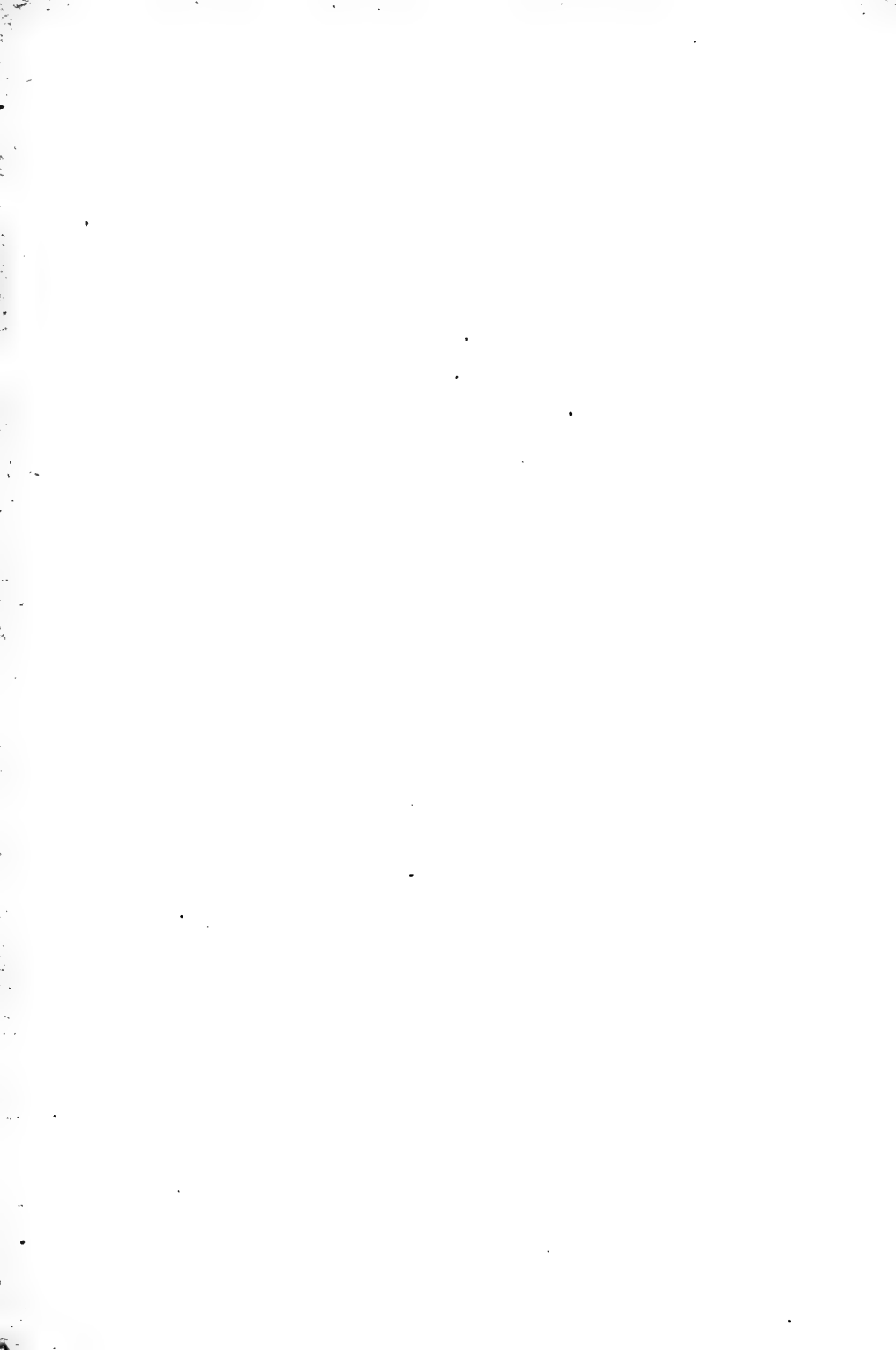
- Strike out the words and figures "two thousand (\$2,000)," in line fourteen of section one, and
- 2 insert the words and figures "three thousand (\$3,000)."

A BILL

For An Act for the support of the Illinois Institution for the Education of the Deaf and Dumb, and
for general repairs thereon, and for the pupils' library.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, for the purpose of defraying the ordinary expenses of the Illinois Institution for the Education of the Deaf and Dumb, the sum of ninety-seven thousand dollars (\$97,000) per annum is hereby appropriated out of the State Treasury, payable quarterly in advance, from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly. And that there be and is hereby appropriated the further sums of two thousand dollars (\$2,000) per annum for repairs and improvements; and five hundred dollars (\$500) per annum for the pupils' library, from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution, or their order, on the terms and in the manner now provided by law.



1. Introduced by Mr. Shaw, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Finance.
3. Reported back February 21, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act making provision for the refunding of surplus funds that are now, or hereafter may be, in State treasury, to the credit of the bond funds of counties, townships, cities, towns, school districts and other municipal corporations, having bonds registered in the office of the Auditor of Public Accounts, when such bonds have been paid and canceled.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That whenever all of the bonds of any county, township,
3 city, town, school district or other municipal corporation, that may have
4 been registered, in pursuance of law, in the office of the Auditor of Public
5 Accounts, have been paid, and canceled upon the records of said Auditor,
6 and there remains in State treasury after said payment, any balance to the
7 credit of the bond fund of such county, township, city, town, school district
8 or other municipal corporation, it shall be the duty of the Auditor of Public
9 Accounts, on receipt of certified copy of resolution as provided for in section
10 2 of this act, to draw his warrant upon the State Treasurer for the amount
11 of said balance, who is hereby authorized to pay same out of the proper
12 fund.

§ 2. Before any warrant can be drawn for balance in State treasury to
2 the credit of the bond fund of any county, township, city, town, school dis-
3 trict or other municipal corporation, it will be necessary for the corporate
4 authorities of such county, township, city, town, school district or other

5 municipal corporation, to pass a resolution requesting the Auditor of Public
6 Accounts to issue his warrant upon State Treasurer for the amount of
7 said balance, payable to the order of the proper custodian of funds of said
8 county, township, city, town, school district or other municipal corporation,
9 who shall be named in said resolution, and to have a certified copy of same
10 furnished said Auditor.

§ 8. Whereas, large sums of money are now idle in the State treasury
2 which ought to be paid back to the municipalities to whose credit the same
3 stand, and there is at present no provision of law for such payment, there-
4 fore an emergency exists, and this act shall take effect and be in force from
5 and after its passage.

1. Introduced by Mr. Adams, February 8, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Judiciary.
3. Reported back February 16, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An act to amend section 136 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

Be it enacted by the People of the State of Illinois, represented in the General

Assembly. SECTION 1. That section 136 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 136. On such report being made and approved by the council, or board of trustees, as the case may be, it may order a petition to be filed by such officers as it shall direct, in the county court, or any court of record of its county, for proceedings to assess the cost of such improvement in the manner provided in this act."

AMENDMENTS TO SENATE BILL NO. 199, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Amend by striking out of line 1, the figures "136," and insert in lieu thereof, the following: "21; of article IX."
2. Amend by inserting before the word "be," in line 7, the following: "Section 1."

5 3. Amend by striking out the following: "Section 1," where the same
6 occurs before the word "that," in line 11.

7 4. Amend by striking out of line 18, the figures "136," and insert in lieu
8 thereof the figures "21."

9 5. Amend by inserting in line 24, after the words, "any court of record,"
10 the words, "of general common law jurisdiction."

-
1. Reported to House March 30, 1883.
 2. First reading April 7, 1883, and referred to Committee on Municipal Affairs.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading April 20, 1883.
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A BILL

For An Act to amend section 21, of article 9 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 21 of article 9 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read follows:

"Section 21. On such report being made and approved by the council, or board of trustees, as the case may be, it may order a petition to be filed by such officer as it shall direct, in the county court, or any court of record of general common law jurisdiction of its county, for proceedings to assess the cost of such improvement in the manner provided in this act."



-
1. Introduced by Mr. Rice, February 8, 1883, and ordered to first reading.
 2. First reading February 9, 1883, and referred to Committee on Miscellany.
 3. Reported back March 16, 1883, with amendment, passage recommended, and ordered to second reading;
-

A BILL

For An Act to restrict the powers of cities, towns and villages in licensing dram shops.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That hereafter it shall be lawful for the corporate author-
3 ities of any city, town or village to grant a license for the keeping of a dram
4 shop except upon the payment in advance, into the treasury of the city,
5 town or village, granting the license, such sum as may be determined by the
6 respective authorities of such city, town or village, not less than at the rate
7 of five hundred dollars per annum: *Provided, further,* that the city council
8 in cities, and the president and board of trustees in villages, may grant per-
9 mits to druggists for the sale of liquors for medical, mechanical, sacramental
10 and chemical purposes only, under such restrictions and regulations as may
11 be provided by ordinance.

AMENDMENTS OFFERED TO SENATE BILL NO. 200 BY THE COMMIT- TEE ON MILITARY AFFAIRS. [MISCELLANY.]

Insert the word "not" after the words "that hereafter it shall" in the
2 third line of section 1, of written bill.

3 Strike out the word "five" and insert in lieu thereof the word "three," in
4 the eleventh line of section 1, of written bill.



1. Introduced by Mr. Rice, February 8, 1883, and ordered to first reading.
2. First Reading February 9, 1883, and referred to Committee on Miscel-
lany.
3. Reported back March 16, 1883, with amendment, passage recommended,
and ordered to second reading.
4. Second reading May 3 and May 23, amended, and ordered to a third
reading.

A BILL

For "An Act to restrict the powers of counties, cities, towns and villages in
licensing dram-shops, to provide for granting a license to retail malt
liquors separately, and for punishing persons holding such separate license
for unlawful sale and gifts."

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

2 *General Assembly:* That hereafter it shall not be lawful for the corporate
3 authorities of any city, town or village in this State, to grant a license for the
4 keeping of a dram-shop, except upon the payment in advance into the treasury
5 of the city, town or village granting the license, such sum as may be deter-
6 mined by the respective authorities of such city, town or village, not less than
7 at the rate of five hundred dollars (\$500) per annum: *Provided, that in all cases*
8 *when a license for the sale of malt liquors only is granted, the city, town or*
9 *village granting such license, may grant the same on the payment, in ad vance*
10 *of the sum of not less than at the rate of one hundred and fifty dollars (\$150) per*
11 *annum: And, provided, further, that the city councils in cities, the board of*
12 *trustees in towns, and president and board of trustees in villages, may grant*
13 *permits to pharmacists for the sale of liquors for medicinal, mechanical, sac-*
14 *ramental and chemical purposes only, under such restrictions and regulations*
15 *as may be provided by ordinance.*

Section 2. The county boards of each county may grant licenses to keep so

2 many dram-shops in their county as they may think the public good require,

3 upon the application by petition of a majority of the legal voters of the town,
 4 if the county is under township organization, and if not under township or-
 5 ganization, then a majority of the legal voters of the election precinct or
 6 district where the same is proposed to be located, and upon the payment into
 7 the county treasury of such sum as the board may require, not less than five
 8 hundred dollars per annum for each licensee; and upon compliance with the
 9 provisions of an act entitled "An act to provide for the licensing of and
 10 against the evils arising from the sale of intoxicating liquors," approved
 11 March 30, 1874, in force July 1, 1874: *Provided*, that in all cases where a license
 12 is granted for the sale of malt liquors only, such board may grant the same
 13 upon payment into the county treasury of a sum not less than one hundred
 14 and fifty dollars (\$150) per annum for each license: *Provided, further*, such
 15 board shall not have power to issue any license to keep a dram-shop in any
 16 incorporated city, town or village, or within two miles of the same, in which
 17 the corporate authorities have authority to license, regulate, restrain or pro-
 18 hibit the sale of liquors, or in any place where the sale of liquors is prohibited
 19 by law.

Section 3. Any person having a license to sell malt liquors only, who shall
 2 by himself or another, either as principal, clerk or servant directly or in-
 3 directly sell or give any intoxicating liquors, other than malt liquors, in a less
 4 quantity than one gallon or in any quantity to be drank upon the premises
 5 or in or upon any adjacent room, building, yard or place of public resort,
 6 shall for each offense be fined not less than twenty dollars, nor more than
 7 one hundred dollars, or confined in the county jail not less than ten, nor
 8 more than thirty days, or both in the discretion of the court. The penalties
 9 provided for in this section may be enforced by indictment or information in
 10 any court of competent jurisdiction, or the fine only may be sued for and
 11 recovered before any justice of the peace of the proper county, and in case of
 12 conviction the offender shall stand committed to the county jail until the fine
 13 and costs are fully paid. A conviction under this section shall forfeit the
 14 license held by the defendant, and the court rendering judgment upon such
 15 conviction, shall in such judgment declare a forfeiture of such license.

1. Introduced by Committee on Judiciary February 9, 1883, and ordered to first reading.
2. First reading February 9, 1883, and ordered to second reading.

A BILL

For An Act in regard to the use of streets and alleys in incorporated cities and villages by elevated railroads and elevated ways and conveyances.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That no person or persons, corporation or corporations, shall construct or maintain any elevated railroad or any elevated way or conveyor to be operated by steam power, or animal power, or any other motive power, along any street or alley in any incorporated city or village, except by the permission of the city council, or board of trustees of such city or village, granted upon a petition of the owners of the lands representing more than one-half of the frontage of the street or alley, or of so much thereof as is sought to be used for such elevated railroad or elevated way or conveyor; and the city council, or board of trustees, shall have no power to grant permission to use any street or alley, or part thereof, for any of the purposes aforesaid, except upon such petition of land-owners as is herein provided for.

§ 2. When the street or alley, or a part thereof, sought to be used for any of the purposes aforesaid, shall be more than one mile in extent, no petition of land-owners shall be valid for the purposes of this act, unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile, and fractional part of a mile, of such street or alley, or of the part thereof sought to be used for any of the purposes aforesaid.

§ 3. All acts, and parts of acts, inconsistent herewith, are hereby repealed.

§ 4. Whereas efforts are being made to obtain the consent of certain
2 municipal authorities in this State to the construction of elevated railroads,
3 to be operated by electricity as a motive power, along streets and alleys in
4 such municipalities, without the petition or consent of owners of land fronting
5 on such streets or alleys, therefore an emergency is hereby declared to exist,
6 and this act shall take effect and be in force from and after its passage

[Substitute for S. B. No. 72.]

1. Introduced by Committee on Judiciary February 9, 1883, and ordered to first reading.
2. First reading February 9, 1883, and ordered to second reading.
3. Second reading March 2, 1883, amended and ordered to third reading.

A BILL

For An Act in regard to the use of streets and alleys in incorporated cities and villages, by elevated railroads and elevated ways and conveyors.

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That no person or persons, corporation or corporations,
3 shall construct or maintain any elevated railroad or any elevated way or con-
4 veyor to be operated by steam power, or animal power, or any other motive
5 power, along any street or alley in any incorporated city or village, except
6 by the permission of the city council, or board of trustees of such city or vil-
7 lage, granted upon a petition of the owners of the lands representing more
8 than one-half of the frontage of the street or alley, or of so much thereof
9 as is sought to be used for such elevated railroad or elevated way or con-
10 veyor; and the city council, or board of trustees, shall have no power to
11 grant permission to use any street or alley, or part thereof, for any of the
12 purposes aforesaid, except upon such petition of land-owners as is herein
13 provided for.

§ 2. When the street or alley, or part thereof, sought to be used for any
2 of the purposes aforesaid, shall be more than one mile in extent, no petition
3 of land-owners shall be valid for the purposes of this act, unless the same
4 shall be signed by the owners of the land representing more than one-half
5 of the frontage of each mile, and fractional part of a mile, of such street or

6 alley, or of the part thereof sought to be used for any of the purposes
7 aforesaid.

§ 3. All acts, and parts of acts, inconsistent herewith, are hereby re-
2 pealed.

§ 4. Whereas efforts are being made to obtain the consent of certain munici-
2 pal authorities in this State to the construction of elevated railroads, to be
3 operated by electricity as a motive power, along streets and alleys in such
4 municipalities, without the petition or consent of owners of land fronting on
5 such streets or alleys, therefore an emergency is hereby declared to exist, and
6 this act shall take effect and be in force from and after its passage.

-
1. Reported to House March 30, 1883.
 2. First reading April 7, 1883, and referred to Committee on Municipal Affairs.
 3. Reported back, passage recommended, report concurred in, and ordered to second reading April 20, 1883.

AMENDMENTS.

Amend by inserting after the word "elevated" where it appears in lines 3, 9, 10, 22 and 23 of written bill, the words "or other."

A BILL

For An Act in regard to the use of streets and alleys in incorporated cities and villages, by elevated railroads and elevated ways and conveyors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
1 *Assembly:* That no person or persons, corporation or corporations, shall construct or maintain
2 any elevated railroad or any elevated way or conveyor to be operated by steam power, or animal
3 power, or any other motive power, along any street or alley in any incorporated city or village,
4 except by the permission of the city council, or board of trustees of such city or village, granted
5 upon a petition of the owners of the lands representing more than one-half of the frontage of
6 the street or alley, or of so much thereof as is sought to be used for such elevated railroad or
7 elevated way or conveyor; and the city council, or board of trustees, shall have no power to
8 grant permission to use any street or alley, or part thereof, for any of the purposes aforesaid,
9 except upon such petition of land-owners as is herein provided for.

§ 2. When the street or alley, or part thereof, sought to be used for any of the purposes
1 aforesaid, shall be more than one mile in extent, no petition of land-owners shall be valid for the
2 purposes of this act, unless the same shall be signed by the owners of the land representing
3 more than one-half of the frontage of each mile, and fractional part of a mile, of such street or
4 alley, or of the part thereof sought to be used for any of the purposes aforesaid.

§ 3 All acts, and parts of acts, inconsistent herewith, are hereby repealed.

§ 4. Whereas, efforts are being made to obtain the consent of certain municipal authorities in
2 this State to the construction of elevated railroads, to be operated by electricity as a motive
3 power, along streets and alleys in such municipalities, without the petition or consent of owners
4 of land fronting on such streets or alleys, therefore an emergency is hereby declared to exist,
5 and this act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Shumway, February 9, 1883, and ordered to first reading.
2. First reading February 9, 1883, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back February 22, 1883, passage recommended, referred to the Committee on Appropriations.
4. Reported back April 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the ordinary expenses of the Illinois State Penitentiary, at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of fifty thousand dollars, or so much thereof as may be necessary be, and the same is hereby appropriated as a penitentiary fund, to defray such portions of the current expenses of the Illinois State Penitentiary at Joliet, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly, as the earnings of convict labor in said penitentiary may be insufficient to defray; which sum shall be paid out upon the warrant of the Auditor of Public Accounts, in sums not exceeding ten thousand dollars at any one time. And the Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the money herein appropriated, to the order of the Warden of the Illinois State Penitentiary, in sums not exceeding ten thousand dollars at any one time, on receiving the statements of the Warden and Board of Commissioners of said penitentiary, approved by the Governor as hereinafter provided, showing that such money is necessary for the purposes contemplated by this act.

§ 2. Said commissions shall file with the Auditor of Public Accounts monthly statements, accompanied by proper vouchers, showing all receipts and disbursements of money during the preceding month on account of current expenses, from what sources received and for what purposes expended, which statements shall be sworn to by the warden, certified to be correct by at least two commissioners, and approved by the Governor. If a necessity exists for drawing money under the provisions of this act, said commissioners shall file with the Auditor an additional statement, sworn to, certified and approved as herein required for their monthly state-

8 ments, which shall show the balance of cash on hand and all sums, in detail, due to and from
9 said penitentiary, and shall also show that the available resources of said penitentiary, outside
10 of the money herein appropriated, are insufficient to meet its liabilities; and no warrant for
11 money herein appropriated shall be drawn by the Auditor, unless the provisions of this section
12 are complied with.

1. Reported to House May 9, 1883.
2. First reading May 16, 1883; referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act to provide for the ordinary expenses of the Illinois State Penitentiary, at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That the sum of fifty thousand dollars, or so much
3 thereof as may be necessary, be, and the same is hereby appropriated as a
4 penitentiary fund to defray such portions of the current expenses of the
5 Illinois State Penitentiary, at Joliet, until the expiration of the first fiscal
6 quarter after the adjournment of the next regular session of the General
7 Assembly, as the earnings of convict labor in said penitentiary may be
8 insufficient to defray; which sum shall be paid out upon the warrant of the
9 Auditor of Public Accounts in sums not exceeding ten thousand dollars at
10 any one time. And the Auditor of Public Accounts is hereby authorized to
11 draw his warrant upon the State Treasurer for the money herein
12 appropriated, to the order of the Warden of the Illinois State Penitentiary,
13 in sums not exceeding ten thousand dollars at any one time, on receiving
14 the statements of the Warden and Board of Commissioners of said Peniten-
15 tiary; approved by the Governor as hereinafter provided, showing that such
16 money is necessary for the purposes contemplated by this act.

§ 2. Said commissioners shall file with the Auditor of Public Accounts
2 monthly statements, accompanied by proper vouchers, showing all receipts and
3 disbursements of money during the preceding month on account of current

4 expenses, from what sources received and for what purposes expended, which
5 statements shall be sworn to by the Warden, certified to be correct by at
6 least two commissioners, and approved by the Governor. If a necessity
7 exists for drawing money under the provisions of this act, said commissioners
8 shall file with the Auditor an additional statement, sworn to, certified and
9 approved as herein required for their monthly statements, which shall show
10 the balance of cash on hand and all sums, in detail, due to and from said
11 penitentiary, and shall also show that the available resources of said
12 penitentiary, outside of the money herein appropriated, are insufficient to
13 meet its liabilities; and no warrant for money herein appropriated shall be
14 drawn by the Auditor unless the provisions of this section are complied
15 with.

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1. Introduced by Mr. Hogan.
 2. First reading February 12, 1883, and referred to Committee on Roads, Highways and Bridges.
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A BILL

For An Act to provide for constructing and maintaining permanent public highways.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That there be and is hereby appropriated the sum of one
3 million dollars out of any money in the State treasury not otherwise appro-
4 priated, for constructing and maintaining permanent public highways in this
5 State, to be apportioned and distributed among the different counties, accord-
6 ing to the legal voters therein, and to be paid to the county treasurers of
7 the respective counties on the 15th day of September, 1883, in the manner
8 and upon the conditions hereinafter provided.

§ 2. All the money that shall be paid into the State treasury during the
2 year 1883, by Illinois Central Railroad Company, and all the money that shall
3 be annually paid into the State treasury by said company during the nine
4 years next ensuing after the present year, is hereby appropriated for con-
5 structing and maintaining permanent public highways [in this State, to be
6 apportioned and distributed among the different counties, according to the
7 legal voters therein, and to be paid to the county treasurers of the respec-
8 tive counties, in the manner and upon the conditions hereinafter provided,
9 on the first day of January of each year, beginning with the first day of
10 January, 1884.

§ 3. The money appropriated by the two foregoing sections shall consti-
2 tute, and shall be called, the "permanent highway fund;" and the "number

3 of legal voters" mentioned in those two sections shall be determined by the
4 number of legal votes polled in the respective counties at the general elec-
5 tion last preceding the day upon which [the money so appropriated is to be
6 paid to the respective county treasurers according [to] the provisions of said
7 sections.

§ 4. The county board of each county shall make an order at any regular
2 or called meeting of such board, submitting to the vote of the people of such
3 county, at an election to be held on the first Monday in August, 1883, the
4 question whether a tax of forty cents per hundred dollars valuation shall
5 be levied for constructing and maintaining permanent public highways in
6 said county; and if such tax shall be authorized by the votes of a majority
7 of the legal voters of such county, the county board shall on the first Mon-
8 day in September, or within ten days thereafter, levy a tax of forty cents per
9 hundred dollars valuation on all the real and personal property in such
10 county; and such tax shall be placed by the county clerk upon the collector's
11 book and shall be collected in gold, or silver, or legal tender notes or
12 national bank notes; and when such tax is collected, it shall become part of
13 the "permanent highway fund," and shall be paid monthly as collected on
14 the last day of each month, to the county treasurer, or to the treasurer of
15 the highway fund mentioned in section 8 of this act. And the said fund
16 shall be appropriated and used by said county board exclusively for con-
17 structing and maintaining permanent public highways as herein provided,
18 and for no other use or purpose whatever. The question so to be submitted
19 to the vote of the people as aforesaid shall be whether the proposed tax
20 shall be levied for one year, or annually for any number of years to be
21 specified, not exceeding ten years; and if such tax should be authorized by
22 the vote aforesaid, the county board shall continue annually to levy such
23 tax on the first Monday in September, or within ten days thereafter, for
24 and during the number of years specified in the question submitted to the
25 vote of the people. The majority of legal voters mentioned in this section
26 shall be construed to mean a number of legal voters equal to a majority of
27 the votes polled at the last preceding general election. If in any county

28 the question of levying the tax aforesaid is not submitted to a vote as pro
 29 vided in this section, or if it should be so submitted and decided in the
 30 negative, the same question may be submitted to a vote of the people at
 31 any general election within eight years after the passage of this act.

§ 5. The "permanent highway fund" arising from the appropriations
 2 made by sections one and two of this act, shall only be apportioned among
 3 and distributed to those counties in which the people have voted as aforesaid
 4 in favor of levying the aforesaid tax of forty cents per hundred dollars
 5 valuation, and in which said tax has been levied in pursuance of such vote.
 6 And within ten days after such tax has been levied in each year, the
 7 county clerk of each of the counties in which such tax has been levied,
 8 shall forward to the Auditor of Public Accounts a certified copy of the
 9 order making such levy, and, also, a certified copy of the abstract of the votes
 10 upon the question of levying the said tax; and the Auditor shall apportion and
 11 distribute said permanent highway fund to each county according to the
 12 proportion which the legal voters of such county shall bear to the whole
 13 number of legal voters in all the counties in which the people have voted
 14 as aforesaid in favor of said tax, not counting the legal voters in cities hav-
 15 ing over twenty thousand population.

§ 6. If there is a city, or cities, each containing more than twenty thous-
 2 and population, situated in any county which has voted in favor of levying
 3 the tax aforesaid, the legal voters of such city or cities shall not be in-
 4 cluded by the Auditor in making the estimate of the amount of the perma-
 5 nent highway fund to which such county may be entitled; and the popula-
 6 tion of such city or cities shall be determined by the census of 1880.

§ 7. Whenever a certified copy of the order of the county board of any
 2 county levying the tax aforesaid, and a certified copy of the abstract of the
 3 votes polled at the election aforesaid, and a certified copy of the order of
 4 such county board directing payment of the amount of the permanent high-
 5 way fund due such county to the county treasurer or to the treasurer of
 6 the highway fund, are presented to the Auditor of Public Accounts, he
 7 shall draw his order on the State Treasurer for the amount so due such
 8 county, in favor of the county treasurer, or the treasurer of the highway

9 fund, as directed in the order of said county board. The certified copies
 10 aforesaid shall be certified by the county clerk with his official seal attached,
 11 and countersigned by the chairman of the county board.

§ 8. The county board of each county in which the people shall vote in
 2 favor of levying the aforesaid tax, shall make an order at its next Septem-
 3 ber meeting, and annually thereafter for ten years, requiring the county
 4 treasurer to give a good and sufficient bond in a sum equal, as near as may
 5 be, to the amount of money that may come to his hands during the twelve
 6 months next ensuing, from the permanent highway fund and from the tax
 7 aforesaid, conditioned that he will pay said money on the order of said
 8 county board, and account to said board every three months from and after
 9 the date of his said bond for all money received by him as aforesaid, and
 10 pay over all moneys and deliver all books and papers in his possession or
 11 control to his successor in office; and if such county treasurer shall not file
 12 with said county board within three days after the making of said order a
 13 good and sufficient bond as aforesaid, the county board shall forthwith ap-
 14 point a good and responsible man, who shall be called "treasurer of the
 15 highway fund," and shall give the bond required by this section; and the
 16 Auditor of Public Accounts shall, on presentation to him of a certified copy
 17 of the order of the county board appointing such treasurer of the highway
 18 fund, draw his order as provided in section seven of this act in favor of
 19 such treasurer of the highway fund.

§ 9. The county board in each county in which the people have voted as
 2 aforesaid in favor of the tax aforesaid, shall, by order entered of record,
 3 select not less than two, nor more than four, main public roads, extending
 4 from the county seat to the county limits, upon which roads the money
 5 herein appropriated and the money arising from the aforesaid tax shall be
 6 expended, and which shall be called "permanent public highways." The
 7 county board shall divide each of such highways so selected into definite,
 8 and, as near as practicable, equal subdivisions, one or more of which subdi-
 9 visions shall be annually finished and completed as far as practicable with
 10 the money annually received by such county from the permanent highway

11 fund and from the tax aforesaid; and the said county board shall confer
 12 with the county board of each adjoining county concerning the most con-
 13 venient route upon which the highways connecting the county seats may be
 14 built; and whenever it is practicable, each of the public highways to be se-
 15 lected as aforesaid shall lead towards the county seat of an adjoining
 16 county.

§ 10. The county board in each county entitled to share in said perma-
 2 nent highway fund, shall employ a competent civil engineer, who shall sur-
 3 vey and make a profile of so much of each of said highways as can be an-
 4 nually finished and completed by the money annually received by such
 5 county from said highway fund and from said tax, which survey and pro-
 6 file shall be filed with the county clerk, and carefully preserved by him.
 7 The said highways shall not be less than two rods, nor more than six rods
 8 wide. At least thirty feet of each highway shall be graded according to
 9 the profile approved and adopted by the county board: *Provided*, that the
 10 centre line of said highway shall be so graded as to be not less than one
 11 foot higher than the outer lines of the graded portion of said highway; and
 12 not less than twenty-five feet in width of said highway shall be covered
 13 with gravel, or stone, or hard brick, in such manner and to such depth as
 14 will make a permanent, hard, and solid road bed. The said highways shall
 15 be drained by tiles of not less than two inches in width, which tiles shall
 16 be sunk not less than two feet deep on each side of, and not more than
 17 five feet from, said road bed. Such filling and excavating for said road bed
 18 shall be done as shall be recommended by said engineer and also approved
 19 by said county board.

§ 11. The county board annually at its September meeting shall appoint
 2 an officer in each township, who shall be called a highway supervisor, and
 3 who shall be a responsible freeholder of the township. He shall take care
 4 that the permanent public highways in his township are kept in good re-
 5 pair; and if he shall neglect to keep all parts of the said highways in his
 6 township in good repair after notice, he may be indicted and fined not less
 7 than five dollars, nor more than ten dollars for each neglect of duty. He

8 shall be paid two dollars per day when engaged in making necessary repairs upon the highway, and he shall be paid out of the highway fund or out of any money in the county treasury on the order of the county board. He may hire labor and teams to be used in making the necessary repairs upon the highway; and he shall report, under his oath, the cost of labor and teams hired as aforesaid, which shall be paid for out of the highway fund or out of any money in the county treasury on the order of the county board.

§ 12. The county board in each county entitled to share in the said permanent highway fund, is authorized and empowered to purchase any toll road in such county built upon any main public highway, and pay for the same in annual installments out of the permanent highway fund and the aforesaid tax; and such installments shall be as near as practicable equal to the amount annually expended upon one of the "permanent public highways" in the county; and such toll-road shall, after the purchase thereof, be free, and shall become a "permanent public highway." And the county board shall, as soon as practicable, cause the road so purchased to be made in all respects equal to the other "permanent public highways" in such county.

§ 13. Whenever it shall deemed proper by the county board of any county, entitled to share in said permanent highway fund, to widen any permanent public highway or any part thereof, to any width not greater than six rods, or to straighten the same, the said county board shall have power to purchase the land necessary to widen or straighten the said highway; or if such land cannot be purchased upon fair terms, said county board may, for the purposes aforesaid, have said land condemned in the manner pointed out in chapter 47 of the Revised Statutes, entitled "Eminent Domain," and pay therefor out of said highway fund.

§ 14. All the bridges and culverts on the line of said permanent public highways shall be substantial, well built structures.

§ 15. The provisions of chapter 121 of the Revised Statutes concerning roads and bridges, which in any respect conflict with any part of this act, are hereby declared not to be applicable to permanent public highways.

§ 16. After the permanent public highways to be selected as aforesaid
2 have been completed and finished to the county limits of any county, the
3 county board of such county is empowered to construct other highways
4 similar in character to the permanent public highways and connecting there-
5 with, and shall pay for the same out of any portion of the permanent high-
6 way funds unexpended.

1. Introduced by Mr. Hogan, February 12, 1883, and ordered to first reading.
2. First reading February 12, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back April 12, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENT TO SENATE BILL NO. 208.

Amend by striking out the original section 2, and insert the following in

lieu thereof:

"Section 2. A sum of money equal to the amount of money annually paid into the State Treasury by the Illinois Central Railroad Company, is hereby appropriated out of the general revenue fund of the State treasury for constructing and maintaining permanent public highways in this State, to be apportioned and distributed among the different counties, annually, for two years, according to the amount paid into the State treasury for the year 1880 in every county in the State, and to be paid to the county treasurers of the respective counties in the manner and upon the conditions hereinafter provided, the sum so appropriated by this section to be paid quarterly."

A BILL

For An Act to provide for constructing and maintaining permanent public highways.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated the sum of one million dollars, out of any money in the State treasury not otherwise appro-

4 priated, for constructing and maintaining permanent public highways in this
 5 State, to be apportioned and distributed among the different counties ac-
 6 cording to the legal voters therein, and to be paid to the county treasurers
 7 of the respective counties on the 15th day of September, 1883, in the manner
 8 and upon the conditions hereinafter provided.

§ 2. All the money that shall be paid into the State treasury during the
 2 year 1883, by Illinois Central Railroad Company, and all the money that
 3 shall be annually paid into the State treasury by said company during the
 4 nine years next ensuing after the present year, is hereby appropriated for
 5 constructing and maintaining permanent public highways in this State, to
 6 be apportioned and distributed among the different counties according to
 7 the legal voters therein, and to be paid to the county treasurers of the re-
 8 spective counties in the manner and upon the conditions hereinafter pro-
 9 vided, on the first day of January of each year, beginning with the first day
 10 of January, 1884.

§ 3. The money appropriated by the two foregoing sections shall consti-
 2 tute, and shall be called the "permanent highway fund;" and the "number
 3 of legal voters" mentioned in those two sections shall be determined by the
 4 number of legal votes polled in the respective counties at the general elec-
 5 tion last preceding the day upon which the money so appropriated is to be
 6 paid to the respective county treasurers according [to] the provisions of said
 7 sections.

§ 4. The county board of each county shall make an order at any regu-
 2 lar or called meeting of such board, submitting to the vote of the people of
 3 such county, at an election to be held on the first Monday in August, 1883,
 4 the question whether a tax of forty cents per hundred dollars valuation
 5 shall be levied for constructing and maintaining permanent public highways
 6 in such county; and if such tax shall be authorized by the votes of a major-
 7 ity of the legal voters of such county, the county board shall on the first
 8 Monday in September, or within ten days thereafter, levy a tax of forty
 9 cents per hundred dollars valuation on all the real and personal property in
 10 such county; and such tax shall be placed by the county clerk upon the

11 collector's book, and shall be collected in gold or silver, or legal tender
 12 notes, or National Bank notes; and when such tax is collected, it shall be
 13 come part of the "permanent highway fund," and shall be paid monthly as
 14 collected on the last day of each month to the county treasurer, or to the
 15 treasurer of the highway fund, mentioned in section 8 of this act. And the
 16 said fund shall be appropriated and used by said county board exclusively
 17 for constructing and maintaining permanent public highways as herein pro-
 18 vided, and for no other use or purpose whatever. The question so to be
 19 submitted to the vote of the people as aforesaid, shall be, whether the pro-
 20 posed tax shall be levied for one year, or annually for any number of years
 21 to be specified, not exceeding ten years; and if such tax should be author-
 22 ized by the vote aforesaid, the county board shall continue, annually, to
 23 levy such tax on the first Monday in September, or within ten days there-
 24 after, for and during the number of years specified in the question submit-
 25 ted to the vote of the people. The majority of legal voters mentioned in
 26 this section shall be construed to mean a number of legal voters equal to a
 27 majority of the votes polled at the last preceding general election. If in
 28 any county the question of levying the tax aforesaid is not submitted to a
 29 vote as provided in this section, or if it should be so, submitted and de-
 30 cided in the negative, the same question may be submitted to a vote of
 31 the people at any general election within eight years after the passage
 32 of this act.

§ 5. The "permanent highway fund" arising from the appropriations
 2 made by sections one and two, of this act, shall only be apportioned
 3 among and distributed to those counties in which the people have voted
 4 as aforesaid in favor of levying the aforesaid tax of forty cents per hun-
 5 dred dollars valuation, and in which said tax has been levied in pur-
 6 suance of such vote. And within ten days after such tax has been levied
 7 in each year, the county clerk of each of the counties in which such tax
 8 has been levied shall forward to the Auditor of Public Accounts a cer-
 9 tified copy of the order making such levy, and also a certified copy of the
 10 abstract of the votes upon the question of levying the said tax; and the

11 Auditor shall apportion and distribute said permanent highway fund to
 12 each county according to the proportion which the legal voters of such
 13 county shall bear to the whole number of legal voters in all the counties
 14 in which the people have voted as aforesaid in favor of said tax, not
 15 counting the legal voters in cities having over twenty thousand popula-
 16 tion.

§ 6. If there is a city or cities, each containing more than twenty thou-
 2 sand population, situated in any county which has voted in favor of levy-
 3 ing the tax aforesaid, the legal voters of such city or cities shall not be
 4 included by the auditor in making the estimate of the amount of the per-
 5 manent highway fund to which such county may be entitled; and the
 6 population of such city or cities shall be determined by the census of 1880.

§ 7. Whenever a certified copy of the order of the county board of any
 2 county levying the tax aforesaid, and a certified copy of the abstract of the
 3 votes polled at the election aforesaid, and a certified copy of the order of
 4 such county board directing payment of the amount of the permanent high-
 5 way fund due such county to the county treasurer or to the treasurer of
 6 the highway fund, are presented to the Auditor of Public Accounts, he
 7 shall draw his order on the State Treasurer for the amount so due such
 8 county in favor of the county treasurer, or the treasurer of the highway
 9 fund, as directed in the order of said county board. The certified copies
 10 aforesaid shall be certified by the county clerk with his official seal attached,
 11 and countersigned by the chairman of the county board.

§ 8. The county board of each county in which the people shall vote in
 2 favor of levying the aforesaid tax, shall make an order at its next Septem-
 3 ber meeting, and annually thereafter for ten years, requiring the county
 4 treasurer to give a good and sufficient bond in a sum equal, as near as may
 5 be, to the amount of money that may come to his hands during the twelve
 6 months next ensuing, from the permanent highway fund and from the tax
 7 aforesaid, conditioned that he will pay said money on the order of said
 8 county board, and account to said board every three months from and after
 9 the date of his said bond for all money received by him as aforesaid, and

10 pay over all moneys and deliver all books and papers in his possession or
11 control to his successor in office; and if such county treasurer shall not file
12 with said county board within three days after the making of said order a
13 good and sufficient bond as aforesaid, the county board shall forthwith
14 appoint a good and responsible man, who shall be called "treasurer of the
15 highway fund," and shall give the bond required by this section; and the
16 Auditor of Public Accounts shall, on presentation to him of a certified copy
17 of the order of the county board appointing such treasurer of the highway
18 fund, draw his order as provided in section seven of this act, in favor of
19 such treasurer of the highway fund.

§ 9 The county board in each county in which the people have voted as
2 aforesaid, in favor of the tax aforesaid, shall by order entered of record
3 select not less than two, nor more than four, main public roads, extending
4 from the county seat to the county limits, upon which roads the money
5 herein appropriated and the money arising from the aforesaid tax shall be
6 expended, and which shall be called "permanent public highways." The
7 county board shall divide each of such highways so selected into definite,
8 and as near as practicable, equal sub-divisions, one or more of which sub-
9 divisions shall be annually finished and completed as far as practicable with
10 the money annually received by such county from the permanent highway
11 fund and from the tax aforesaid; and the said county board shall confer
12 with the county board of each adjoining county concerning the most con-
13 venient route upon which the highways connecting the county seats may be
14 built; and, whenever it is practicable, each of the public highways to be
15 selected as aforesaid shall lead towards the county seat of an adjoining
16 county.

§ 10. The county board in each county entitled to share in said permanent
2 highway fund, shall employ a competent civil engineer who shall survey and
3 make a profile of so much of each of said highways as can be annually
4 finished and completed by the money annually received by such county from
5 said highway fund and from said tax, which survey and profile shall be filed
6 with the county clerk and carefully preserved by him. The said highways

7 shall not be less than two rods nor more than six rods wide. At least thirty
 8 feet of each highway shall be graded according to the profile approved and
 9 adopted by the county board: *Provided*, that the center line of said high-
 10 way shall be so graded as to be not less than one foot higher than the outer
 11 lines of the graded portion of said highway, and not less than twenty-five
 12 feet in width of said highway shall be covered with gravel or stone, or hard
 13 brick, in such manner and to such depth as will make a permanent, hard
 14 and solid road-bed. The said highways shall be drained by tiles of not less
 15 than two inches in width, which tiles shall be sunk not less than two feet
 16 deep on each side of, and not more than five feet from said road-bed. Such
 17 filling and excavating for said road-bed shall be done as shall be recom-
 18 mended by said engineer, and also approved by said county board.

§ 11. The county board, annually, at its September meeting, shall appoint
 2 an officer in each township, who shall be called a highway supervisor, and
 3 who shall be a responsible freeholder of the township. He shall take care
 4 that the permanent public highways in his township are kept in good
 5 repair; and if he shall neglect to keep all parts of the said highways in his
 6 township in good repair after notice, he may be indicted and fined not less
 7 than five dollars, nor more than ten dollars, for each neglect of duty. He
 8 shall be paid two dollars per day when engaged in making necessary repairs
 9 upon the highway, and he shall be paid out of the highway fund or out of
 10 any money in the county treasury on the order of the county board. He may
 11 hire labor and teams to be used in making the necessary repairs upon the
 12 highway; and he shall report, under his oath, the cost of labor and teams
 13 hired as aforesaid, which shall be paid for out of the highway fund or out
 14 of any money in the county treasury, on the order of the county board.

§ 12. The county board in each county, entitled to share in the said per-
 2 manent highway fund, is authorized and empowered to purchase any toll
 3 road in such county built upon any main public highway, and pay for the
 4 same in annual installments out of the permanent highway fund and the
 5 aforesaid tax; and such installments shall be, as near as practicable, equal
 6 to the amount annually expended upon one of the "permanent public high-

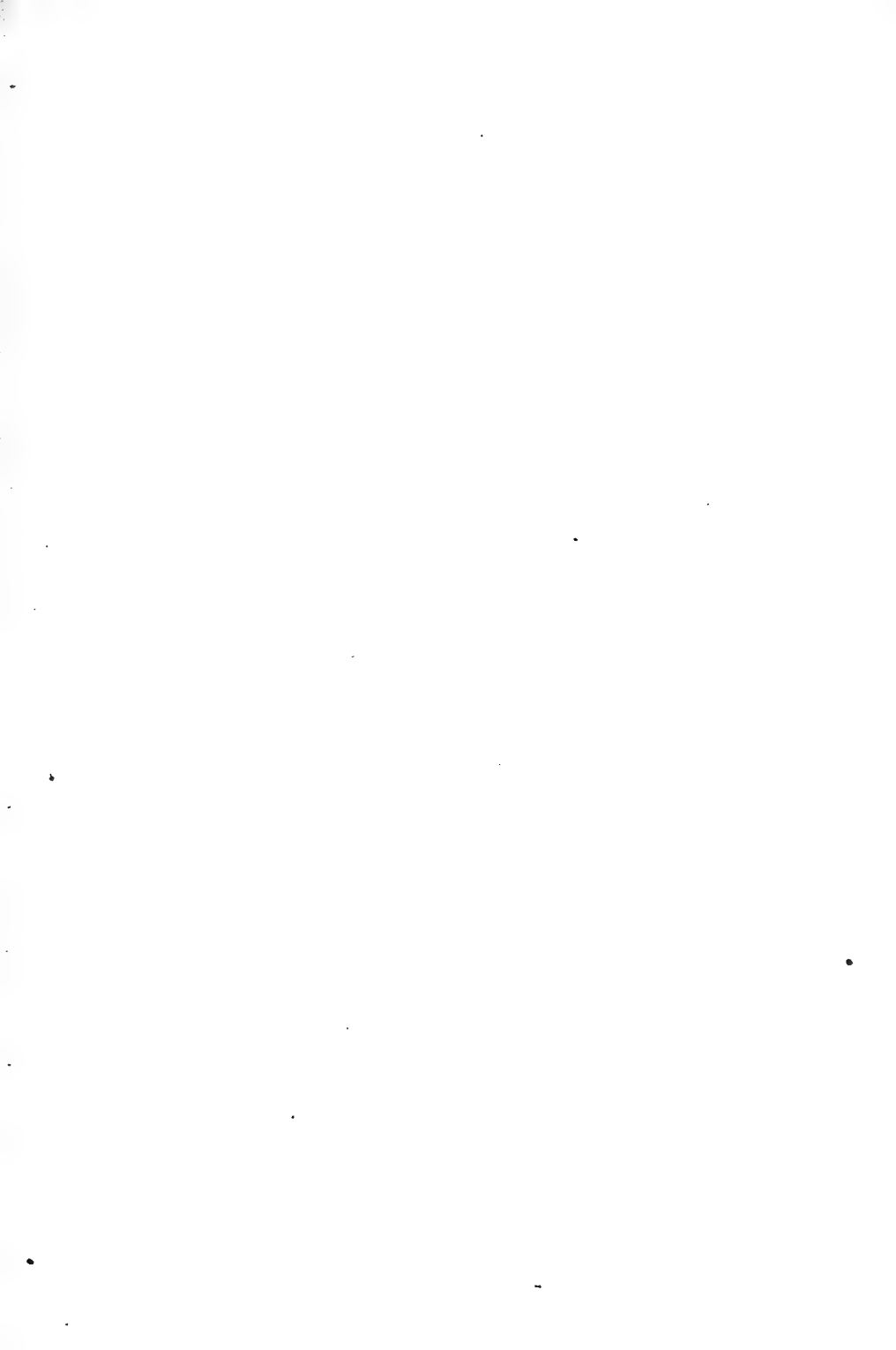
ways" in the county; and such toll road shall, after the purchase thereof, be free, and shall become a "permanent public highway." And the county board shall, as soon as practicable, cause the road so purchased to be made in all respects equal to the other "permanent public highways" in such county.

§ 13. Whenever it shall be deemed proper, by the county board of any county entitled to share in said permanent highway fund, to widen any permanent public highway, or any part thereof, to any width not greater than six rods, or to straighten the same, the said county board shall have power to purchase the land necessary to widen or straighten the said highway; or if such land can not be purchased upon fair terms, said county board may, for the purposes aforesaid, have said land condemned in the manner pointed out in chapter 47 of the Revised Statutes, entitled "Eminent Domain," and pay therefor out of said highway fund.

§ 14. All the bridges and culverts on the line of said permanent public highways shall be substantial, well built structures.

§ 15. The provisions of chapter 121 of the Revised Statutes concerning roads and bridges, which in any respect conflict with any part of this act, are hereby declared not to be applicable to permanent public highways.

§ 16. After the permanent public highways to be selected as aforesaid have been completed and finished to the county limits of any county, the county board of such county is empowered to construct other highways similar in character to the permanent public highways and connecting therewith, and shall pay for the same out of any portion of the permanent highway fund unexpended.



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1. Introduced by Mr. Hogan, February 12, 1883, read first time, and referred to Committee on Roads, Highways and Bridges.
 2. Reported back April 12, 1883, with amendments, passage recommended, and ordered to second reading.
 3. Second reading May 11, 1883, amended and ordered to third reading.
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A BILL

For An Act to provide for constructing and maintaining permanent public highways.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That there be and is hereby appropriated the sum of one
3 million dollars out of any money in the State treasury not otherwise appro-
4 priated, for constructing and maintaining permanent public highways in this
5 State, to be apportioned and distributed among the different counties, accord-
6 ing to the legal voters therein, and to be paid to the county treasurers of
7 the respective counties on the 15th day of September, 1883, in the manner and
8 upon the conditions hereinafter provided.

§ 2. A sum of money equal to the amount of money annually paid
2 into the state treasury by the Illinois Central Railroad Company, is hereby
3 appropriated out of the general revenue fund of the State treasury for
4 constructing and maintaining permanent public highways in this State,
5 to be apportioned and distributed among the different counties, annually,
6 for two years, according to the amount paid into the State treasury for the
7 year 1880 in every county in the State, and to be paid to the county
8 treasurers of the respective counties in the manner and upon the condi-
9 tions hereinafter provided, the sum so appropriated by this section to be paid
10 quarterly.

§ 3. The money appropriated by the two foregoing sections shall constitute, and shall be called, the "permanent highway fund;" and the "number of legal voters" mentioned in those two sections shall be determined by the number of legal votes polled in the respective counties at the general election last preceding the day upon which the money so appropriated is to be paid to the respective county treasurers according to the provisions of said sections.

§ 4. The county board of each county shall make an order at any regular or called meeting of such board, submitting to the vote of the people of such county, at an election to be held on the first Monday in August, 1883, the question whether a tax of forty cents per hundred dollars' valuation shall be levied for constructing and maintaining permanent public highways in said county; and if such tax shall be authorized by the votes of a majority of the legal voters of such county, the county board shall on the first Monday in September, or within ten days thereafter, levy a tax of forty cents per hundred dollars' valuation on all the real and personal property in such county; and such tax shall be placed by the county clerk upon the collector's book and shall be collected in gold or silver, or legal tender notes or national bank notes; and when such tax is collected, it shall become part of the "permanent highway fund," and shall be paid monthly as collected on the last day of each month, to the county treasurer, or to the treasurer of the highway fund mentioned in section 8 of this act. And the said fund shall be appropriated and used by said county board exclusively for constructing and maintaining permanent public highways as herein provided, and for no other use or purpose whatever. The question so to be submitted to the vote of the people as aforesaid shall be whether the proposed tax shall be levied for one year, or annually for any number of years to be specified, not exceeding ten years; and if such tax should be authorized by the vote aforesaid, the county board shall continue annually to levy such tax on the first Monday in September, or within ten days thereafter, for and during the number of years specified in the question submitted to the vote of the people. The majority of legal voters mentioned in this section

26 shall be construed to mean a number of legal voters equal to a majority of
 27 the votes polled at the last preceding general election. If in any county
 28 the question of levying the tax aforesaid is not submitted to a vote as pro-
 29 vided in this section, or if it should be so submitted and decided in the
 30 negative, the same question may be submitted to a vote of the people at
 31 any general election within eight years after the passage of this act.

§ 5. The "permanent highway fund" arising from the appropriations
 2 made by sections one and two of this act, shall only be apportioned among
 3 and distributed to those counties in which the people have voted as aforesaid
 4 in favor of levying the aforesaid tax of forty cents per hundred dollars'
 5 valuation, and in which said tax has been levied in pursuance of such vote.
 6 And within ten days after such tax has been levied in each year, the
 7 county clerk of each of the counties in which such tax has been levied,
 8 shall forward to the Auditor of Public Accounts a certified copy of the
 9 order making such levy, and, also, a certified copy of the abstract of the votes
 10 upon the question of levying the said tax; and the Auditor shall apportion and
 11 distribute said permanent highway fund to each county according to the
 12 proportion which the legal voters of such county shall bear to the whole
 13 number of legal voters in all the counties in which the people have voted
 14 as aforesaid in favor of said tax, not counting the legal voters in cities hav-
 15 ing over twenty thousand population.

§ 6. If there is a city, or cities, each containing more than twenty thous-
 2 and population, situated in any county which has voted in favor of levying
 3 the tax aforesaid, the legal voters of such city or cities shall not be in-
 4 cluded by the Auditor in making the estimate of the amount of the perma-
 5 nent highway fund to which such county may be entitled; and the popula-
 6 tion of such city or cities shall be determined by the census of 1880.

§ 7. Whenever a certified copy of the order of the county board of any
 2 county levying the tax aforesaid, and a certified copy of the abstract of the
 3 votes polled at the election aforesaid, and a certified copy of the order of
 4 such county board directing payment of the amount of the permanent high-
 5 way fund due such county to the county treasurer or to the treasurer of

6 the highway fund, are presented to the Auditor of Public Accounts, he
7 shall draw his order on the State Treasurer for the amount so due such
8 county, in favor of the county treasurer, or the treasurer of the highway
9 fund, as directed in the order of said county board. The certified copies
10 aforesaid shall be certified by the county clerk with his official seal attached,
11 and countersigned by the chairman of the county board.

§ 8. The county board of each county in which the people shall vote in
2 favor of levying the aforesaid tax, shall make an order at its next September
3 meeting, and annually thereafter for ten years, requiring the county
4 treasurer to give a good and sufficient bond in a sum equal, as near as may
5 be, to the amount of money that may come to his hands during the twelve
6 months next ensuing, from the permanent highway fund and from the tax
7 aforesaid, conditioned that he will pay said money on the order of said
8 county board, and account to said board every three months from and after
9 the date of his said bond for all money received by him as aforesaid and
10 pay over all moneys and deliver all books and papers in his possession or
11 control to his successor in office; and if such county treasurer shall not file
12 with said county board within three days after the making of said order a
13 good and sufficient bond as aforesaid, the county board shall forthwith ap-
14 point a good and responsible man, who shall be called "treasurer of the
15 highway fund" and shall give the bond required by this section; and the
16 Auditor of Public Accounts shall, on presentation to him of a certified copy
17 of the order of the county board appointing such treasurer of the highway
18 fund, draw his order as provided in section seven of this act, in favor of
19 such treasurer of the highway fund.

§ 9. The county board in each county in which the people have voted as
2 aforesaid in favor of the tax aforesaid, shall, by order entered of record,
3 select not less than two, nor more than four, main public roads extending
4 from the county seat to the county limits, upon which roads the money
5 herein appropriated and the money arising from the aforesaid tax shall be
6 expended, and which shall be called "permanent public highways." The
7 county board shall divide each of such highways so selected into definite,

8 and as near as practicable, equal subdivisions, one or more of which subdivi-
 9 visions shall be annually finished and completed as far as practicable with
 10 the money annually received by such county from the permanent highway
 11 fund and from the tax aforesaid; and the said county board shall confer
 12 with the county board of each adjoining county concerning the most con-
 13 venient route upon which the highways connecting the county seats may be
 14 built; and whenever it is practicable, each of the public highways to be se-
 15 lected as aforesaid shall lead towards the county seat of an adjoining
 16 county.

§ 10. The county board in each county entitled to share in said perma-
 2 nent highway fund, shall employ a competent civil engineer, who shall survey
 3 and make a profile of so much of each of said highways as can be annually
 4 finished and completed by the money annually received by such county
 5 from said highways fund and from said tax, which survey and profile
 6 shall be filed with the county clerk, and carefully preserved by him.
 7 The said highways shall not be less than two rods, nor more than six rods
 8 wide. At least thirty feet of each highway shall be graded according to
 9 the profile approved and adopted by the county board: *Provided*, that the
 10 centre line of said highway shall be so graded as to be not less than one
 11 foot higher than the outer lines of the graded portion of said highway; and
 12 not less than twenty-five feet in width of said highway shall be covered
 13 with gravel, or stone, or hard brick, in such manner and to such depth as
 14 will make a permanent, hard and solid road bed. The said highways shall
 15 be drained by tiles of not less than two inches in width, which tiles shall
 16 be sunk not less than two feet deep on each side of, and not more than
 17 five feet from said road bed. Such filling and excavating for said road bed
 18 shall be done as shall be recommended by said engineer and also approved
 19 by said county board.

§ 11. The county board annually at its September meeting shall appoint
 2 an officer in each township, who shall be called a highway supervisor, and
 3 who shall be a responsible freeholder of the township. He shall take care
 4 that the permanent public highways in his township are kept in good re-

5 pair; and if he shall neglect to keep all parts of the said highways in his
 6 township in good repair after notice, he may be indicted and fined not less
 7 than five dollars, nor more than ten dollars for each neglect of duty. He
 8 shall be paid two dollars per day when engaged in making necessary re-
 9 pairs upon the highway, and he shall be paid out of the highway fund or
 10 out of any money in the county treasury on the order of the county board.
 11 He may hire labor and teams to be used in making the necessary repairs
 12 upon the highway; and he shall report, under his oath, the cost of labor
 13 and teams hired as aforesaid, which shall be paid for out of the highway
 14 fund or out of any money in the county treasury on the order of the
 15 county board.

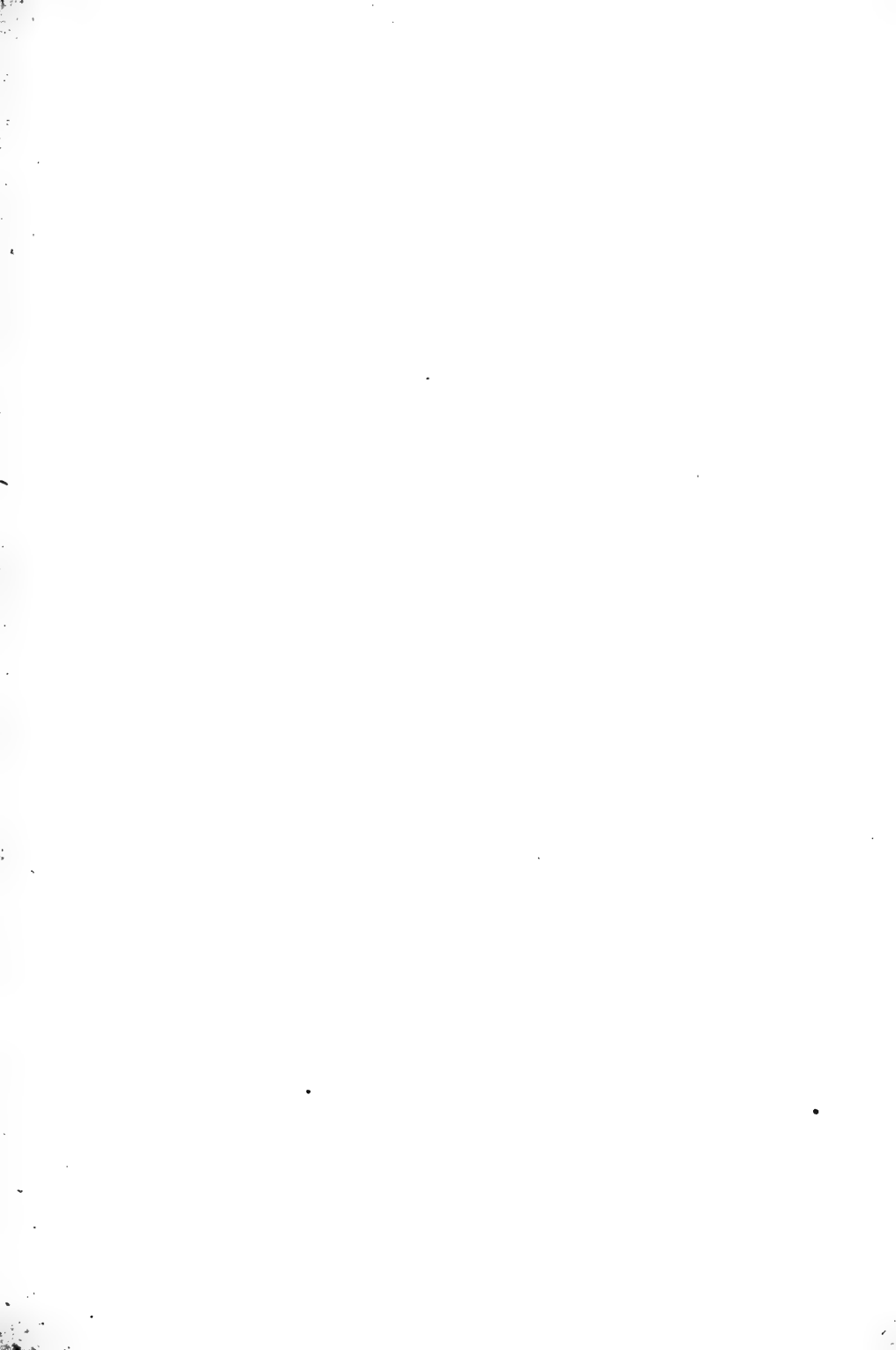
§ 12 The county board in each county entitled to share in the said per-
 2 manent highway fund, is authorized and empowered to purchase any toll
 3 road in such county built upon any main public highway, and pay for the
 4 same in annual installments out of the permanent highway fund and the
 5 aforesaid tax, and such installments shall be as near as practicable equal to
 6 the amount annually expended upon one of the "permanent public high-
 7 ways" in the county; and such toll-road shall, after the purchase thereof, be
 8 free, and shall become a "permanent public highway." And the county
 9 board shall, as soon as practicable, cause the road so purchased to be made
 10 in all respect equal to the other "permauent public highways" in such
 11 county.

§ 13 Whenever it shall deemed proper by the county board of any
 2 county, entitled to share in said permanent highway fund, to widen any
 3 permanent public highway or any part thereof, to any width not greater
 4 than six rods, or to straighten the same, the said county board shall have
 5 power to purchase the land necessary to widen or straighten the said high-
 6 way; or if such land cannot be purchased upon fair terms, said county
 7 board may, for the purposes aforesaid, have said land condemned in the
 8 manner pointed out in chapter 47 of the Revised Statutes, entitled "Ex-
 9 Domain," and pay therefor out of said highway fund.

§ 14 All the bridges and culverts on the line of said permanent public
2 highways shall be substantial, well built structures.

§ 15. The provisions of chapter 121 of the Revised Statutes, concerning
2 roads and bridges, which in any respect conflict with any part of this act,
3 are hereby declared not to be applicable to permanent public highways.

§ 16 After the permanent public highways to be selected as aforesaid
2 have been completed and finished to the county limits of any county, the
3 county board of such county is empowered to construct other highways
4 similar in character to the permanent public highways and connecting there-
5 with, and shall pay for the same out of any portion of the permanent high-
6 way funds unexpended.



1. Introduced by Mr. Fifer, February 13, 1883, and ordered to first reading.
2. First reading February 13, 1883, and referred to Committee on Fees and Salaries.
3. Reported back April 18, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section seven (7) of an act entitled "An act to revise the law in relation to County Surveyors and the custody of the United States field notes, approved March 2, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7) of an act entitled "An act to revise the law in relation to county surveyors and the custody of the United States field notes," approved March 2, 1874, in force July 1, 1874," be and the same is hereby amended, so as to read as follows :

"Section 7. Every county surveyor shall be furnished by the county with a well-bound book, in which he shall carefully and legibly record and note down every survey made by him, giving the date of survey, the name of the person whose land is surveyed, the metes and bounds of the land as near as practicable and the data on which the survey was made. Such record shall be the property of the county, and shall be kept in the office of the recorder of the county, and shall be subject to the inspection of every person who may think himself interested, and a certified copy thereof under the hand of the recorder or surveyor, or any successor in office, shall be *prima facie* evidence of the facts therein stated. Every county surveyor who shall refuse or neglect to record any survey made by him within thirty days after such survey is made as herein provided, shall forfeit and pay a penalty of one hundred dollars for each and every survey not thus recorded, to be recovered by any person who will sue for the same, one-half to the use of the person suing and one-half for the use of the county in which the failure so to record occurred ; or the surveyor for every such refusal or neglect to record a survey within thirty days after the same is made shall be fined not less than fifty nor more than one hundred dollars, to be recovered

19 as other fines by complaint, information or indictment, and when collected to be paid into the
20 county treasury of the county in which the refusal or neglect occurred, to become part of the
21 current revenue of the county.

1. Reported to House May 18, 1883.
2. First reading May 29, 1883, and ordered to second reading.

A BILL

For An Act to amend section seven (7) of an act entitled "An act to revise the law in relation to county surveyors and the custody of the United States field notes," approved March 2, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seven (7) of an act entitled "An act to revise
3 the law in relation to county surveyors and the custody of the United
4 States field notes," approved March 2, 1874, in force July 1, 1874, be, and the
5 same is hereby amended, so as to read as follows:

6 "Section 7. Every county surveyor shall be furnished by the county with
7 a well-bound book, in which he shall carefully and legibly record and note
8 down every survey made by him, giving the date of survey, the name of the
9 person whose land is surveyed, the metes and bounds of the land as near as
10 practicable, and the data on which the survey was made. Such record shall
11 be the property of the county, and shall be kept in the office of the recorder
12 of the county, and shall be subject to the inspection of every person who
13 may think himself interested, and a certified copy thereof under the hand
14 of the recorder or surveyor, or any successor in office, shall be *prima facie*
15 evidence of the facts therein stated. Every county surveyor who shall refuse
16 or neglect to record any survey made by him within thirty days after such
17 survey is made, as herein provided, shall forfeit and pay a penalty of one
18 hundred dollars for each and every survey not thus recorded, to be recovered
19 by any person who will sue for the same, one-half to the use of the person sue-

ing and one-half for the use of the county in which the failure so to record occurred; or the surveyor for every such refusal or neglect to record a survey within thirty days after the same is made, shall be fined not less than fifty nor more than one hundred dollars, to be recovered as other fines by complaint, information or indictment, and when collected to be paid into the county treasury of the county in which the refusal or neglect occurred, to become part of the current revenue of the county.

1. Introduced by Mr. Duncan, February 13, 1883, and ordered to first reading.
2. First reading February 13, 1883, and referred to Committee on Judiciary.
3. Reported back March 7, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to prohibit and punish conspiracies to prevent competition.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That it shall be unlawful for any two or more persons to conspire or agree together to prevent competition in trade or traffic, either for their own benefit or for the benefit of any corporation.

§ 2. If any two or more persons shall enter into any contract or agreement, either in their own behalf or in behalf of any corporation or corporations, for the purpose of preventing, in whole or in part, competition between such persons or corporations in trade or traffic, they shall be deemed guilty of a conspiracy, and upon conviction thereof shall be fined not exceed \$1,000 or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

§ 3. Such conspiracy as is described in section two of this act, shall be punishable either in the county where such conspiracy is entered into, or in any county where any act is done by any of the parties thereto for the purpose of accomplishing, in whole or in part, the object of such conspiracy.



1. Introduced by Mr. Hamilton, February 13, 1883, and ordered to first reading.
2. First reading February 13, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Ordered March 2, 1883, 300 copies printed for use of Committee.

A BILL

For An Act to authorize the construction and maintenance of gravel and macadamized roads.

Be it enacted by the People of the State of Illinois, represented in the General Assembly. SECTION 1. That the county boards of the several counties in this State shall have power, in the manner hereinafter provided, to lay out, construct or improve, by straightening, grading, paving, graveling or macadamizing, any county or State road or public highway, or any part thereof, within the limits of their respective counties.

§ 2. When the county board of any county may desire to improve any road or highway, or any part thereof, within said county, as provided in the first section of this act, they shall, by resolution, appoint three disinterested freeholders of the county as viewers, and a competent surveyor, or engineer (who may be the county surveyor), to proceed, on a day to be named in the resolution of the board, to examine, view, lay out or straighten said road, as in their judgment public convenience and utility may require. The county clerk of said county shall notify said viewers and surveyors of the time and place of their meeting, and shall also give notice, by publication in a newspaper printed in said county, for twenty (20) days prior to said meeting, stating the time and place of the meeting, the kind of improvement proposed, the place of beginning, intermediate points, if any, and the place of termination.

§ 3. It shall be the duty of said viewers and surveyor or engineer to meet at the time and place specified in said notice, and, after severally taking an oath or affirmation to faithfully and impartially discharge their duties, they shall call to their assistance the necessary chain-bearers and markers (who shall be sworn), and proceed to view, examine, lay out or straighten, as in their opinion public utility and convenience may require, and assess and determine the damages sustained by any person or persons through whose premises said road or public highway is proposed to be laid out, straightened or improved: *Provided*, that such viewers shall not be required to assess damages to any person or persons, except minors, idiots or lunatics, in consequence of the appropriation of any private property for the making of said improvement, unless the owner or owners thereof, or their agents, shall file a written application with said viewers, giving a description of the premises on which damages are claimed by them, within ten days after the completion of the survey of said road by said viewers; and all applications for damages shall be barred unless they are presented as above required: *Provided, further*, that any person or persons feeling aggrieved by the assessment of damages made as aforesaid, may have the same assessed by a jury in the same manner as is provided for by law in the altering, widening or laying out of new roads.

§ 4. Said viewers and surveyor shall make a report in writing to the county board at their next regular meeting, showing the public utility and necessity of the contemplated improvement, with a detailed estimate of the cost thereof, the amount of damages assessed to each claimant, and the tracts or parcels of land which will be benefited thereby and ought to be assessed for the expenses of the same: *Provided*, that each acre shall be assessed, as nearly as may be, according to its proximity to the road, but no lands shall be so assessed which do not lie within two miles of the contemplated improvement: *Provided, further*, that lands having been once assessed for the expense of any such improvement, shall not be reassessed unless the prior assessment shall not be deemed proportionate to the whole benefit

13 resulting to said lands; and where lands are liable to be assessed under this
 13 act for the construction of two or more roads, the viewers shall take that
 14 fact into consideration in assessing benefits.

§ 5. Upon the return of the report mentioned in the last section hereof,
 2 the county board shall, if in their opinion public utility requires it, by a
 3 vote of the majority of all the members elected to said board, enter or
 4 cause to be entered upon the journal of their proceedings, an order that the
 5 improvement be made; which order shall specify the kind of improvement
 6 to be made, the width and extent of the same, and the lands which shall be
 7 assessed for the expense thereof. If, at any time after making such final
 8 order, the county board shall find that there has been an omission of lots or
 9 tracts of land within the territory sought to be assessed, or that there has
 10 been manifest injustice in the apportionment of assessments, or that public
 11 interest or necessity requires an alteration in the manner of the improve-
 12 ment ordered, they are hereby authorized to make such addition and re-
 13 apportionment as they may deem just and proper, and such change in the
 14 improvement as will conform the same to the public requirement. When
 15 any of the lands to be assessed are subject to a life estate, the assessment
 16 made thereon shall be apportioned between the owner of the life estate
 17 and the owner of the fee, in proportion to the relative value of their respective
 18 estates, such proportion to be ascertained upon the principle applicable to life
 19 annuities. After making such order for an improvement, or for any change in
 20 the same, the county board shall appoint some competent engineer to superin-
 21 tend the construction and completion of said work.

§ 6. When any such improvement shall have been ordered as aforesaid, the
 2 county board shall immediately appoint three disinterested freeholders of the
 3 county, who, after severally taking and subscribing an oath to faithfully and
 4 impartially discharge their duties, shall, upon actual view of the premises,
 5 apportion the estimated expense of the improvement upon the real property
 6 embraced in the order aforesaid, according to the benefit to be derived
 7 therefrom, and in making said apportionment, they shall take into consider-
 8 ation previous assessments, if any, made upon such real property for the

9 improvement of any road under the provisions of this act, and any benefit
10 which shall accrue to any land or lands by reason of drainage resulting
11 from the making of said improvement, and they shall file a report of their
12 proceedings in the office of the county clerk of such county, together with
13 an assessment list containing a description of each tract or parcel of land,
14 the amount assessed against the same, and the names of the owners, so far
15 as known. Upon the report of said committee being made and filed as afore-
16 said, the county clerk shall give notice thereof by publication in some news-
17 paper printed in said county, and shall also give notice, by publication for
18 at least three consecutive weeks, of the time and place when the county
19 board will meet to hear and act upon the same. On the day named in said
20 notice the county board shall meet, and if no objections have been filed to
21 said report, they shall confirm the same; but if exceptions in writing have
22 been filed by any of the owners of land affected thereby, they shall first
23 proceed to hear such exceptions, and for that purpose shall hear any testi-
24 mony that may be offered by any party interested; and the county clerk
25 shall administer oaths to the witnesses. After such hearing, they may either
26 confirm said report, or change the same, or refer the same to a new commit-
27 tee of three disinterested freeholders. In the case last named, the new com-
28 mittee shall, upon actual view of the premises, make their report of a new
29 apportionment, or they may recommend the confirmation of the former report;
30 and upon the return of their report to the county clerk, the same proceed-
31 ings shall be had as upon the return of the first report, except that there
32 shall not be a reference to another committee. The final action of the county
33 board shall be entered upon their records, together with the report as con-
34 firmed, showing how the estimated expense has been apportioned upon the
35 land ordered to be assessed as aforesaid. The county clerk shall reduce or
36 add to said assessment, *pro rata*, the amount the actual expense shall be found
37 to be, more or less than the said estimate. The said assessments upon lands,
38 under the provisions of this act, shall be placed upon a special duplicate to
39 be made by the clerk, and such assessments shall constitute and be a valid
40 lien on the real estate assessed, from the date thereof until payment shall

41 be made: *Provided*, that the cost and expense of the preliminary survey,
 42 proceedings, and report of said improvement shall be paid out of the county
 43 treasury, and be refunded, as well as other amounts advanced by the county
 44 for the preliminary expenses of such improvement, in the manner herein-
 45 after provided.

§ 7. The county clerk of such county shall, without delay, upon the com-
 2 pletion of said duplicate assessment list, issue his warrant to the sheriff of
 3 such county, as a special collector, for the collection of said special assess-
 4 ments. Such warrant shall contain a certified copy of the assessment list,
 5 describing the lots, tracts or parcels of land assessed, the respective amounts
 6 assessed to each tract or parcel of land, and the names of the owners thereof,
 7 and the same shall constitute a sufficient authority for the collection of
 8 said special assessments. The sheriff receiving such warrant shall imme-
 9 diately give notice thereof by publication in one or more newspapers of gen-
 10 eral circulation in such county, or by posting notices in three public places
 11 on the line of said improvement, and shall proceed to the collection of such
 12 special assessments, and shall pay the money into the county treasury as
 13 fast as collected. If any of said special assessments shall not be paid or
 14 collected on the warrant issued as aforesaid, then it shall be the duty of
 15 the sheriff, on or before the 10th day of March thereafter, to make report,
 16 under oath, and in the manner provided by law, of all such delinquents, to
 17 the county collector and treasurer of such county, and the county collector shall
 18 extend such delinquent special assessments in a separate column upon the
 19 tax books of his office, and collect the same in like manner as other county
 20 or State taxes are collected.

§ 8. No person shall be permitted to take advantage of any error com-
 2 mitted by the county board, or by the county clerk, or by the engineer or
 3 surveyor, or other person or persons, in any proceedings to lay out, construct
 4 or improve any such road or public highway; nor of any informality, error
 5 or defect appearing in the record of such proceeding, unless the party com-
 6 plaining is affected thereby. But the circuit court in which any action may
 7 be brought to enjoin, reverse, or declare void the proceedings by which any

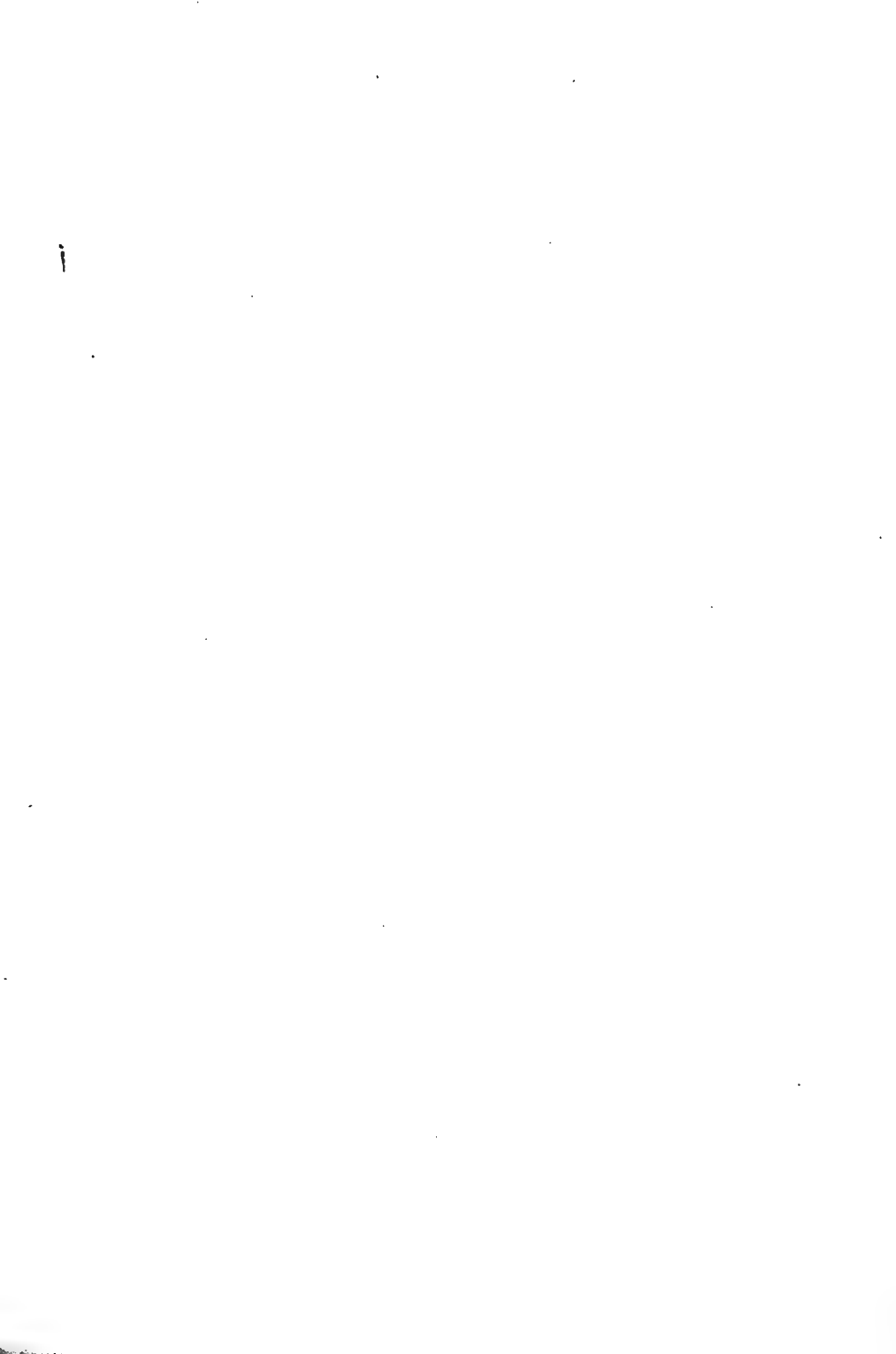
8 such road has been laid out, constructed or improved, or to enjoin the col-
 9 lection of any special assessment levied or ordered to be levied for the
 10 purpose aforesaid, or of either, may, if there be manifest error in such
 11 proceedings affecting the rights of the plaintiff in such action, set the same
 12 aside as to him, without affecting the rights or liabilities of other parties in
 13 interest; and the court shall, in the final hearing, make such order in the
 14 premises as may seem just and equitable, and may order the tax assessed
 15 against the plaintiff to remain on the duplicate list for collection, or to be
 16 again levied or assessed, in whole or in part, or may perpetually enjoin the
 17 same or any part thereof. The costs of such action, and of the proceedings
 18 had therein, shall be apportioned among the parties or paid out of the
 19 county treasury in whole or in part, as justice may require and the court
 20 direct: *Provided*, that all lands liable to assessment, under the provisions of
 21 this act, for the construction or improvement of any such road, shall be
 22 held responsible to the county, to protect the same against all loss or liabil-
 23 ity arising from any judicial proceeding affecting the assessments for bene-
 24 fits, and also all costs and expenses that may arise in any litigation con-
 25 nected therewith; and re-assessments may be made to discharge the same.

§ 9. All contracts for any such improvement shall be let in sections of
 2 not less than one mile, and to the lowest responsible bidder, who shall give
 3 such bond and security for the proper performance of his contract as the
 4 county board may deem expedient to require: *Provided*, that notice of such
 5 letting shall be given in one or more newspapers of the county for two
 6 weeks next prior thereto, and all bids shall be sealed, but no bid shall be
 7 accepted which exceeds the estimated cost of the work; and the county
 8 board or any committee thereof empowered to advertise for bids, shall have
 9 the right to reject any or all bids made. No money shall be paid to any
 10 contractor, except on estimates made of the work done as the same pro-
 11 gresses or is completed: *And provided, further*, that said road or public high-
 12 way, so constructed or improved, shall be free of toll, and shall be kept in
 13 repair in the manner provided by law for other State and county roads in
 14 this State.

§ 10. The compensation of persons employed under this act shall be fixed
2 by the county board, and shall not exceed two and one-half dollars per day;
3 *Provided*, that the surveyor or engineer, the county clerk and sheriff shall
4 be allowed such fees or compensation as are or may be fixed by statute to
5 such officers, respectively, for services in other cases; and all such fees, costs
6 or expenses shall be estimated and included in the special assessments
7 aforesaid, as forming a part of the cost of said improvement.

§ 11. When it may be desirable or expedient to continue any road or
2 public highway contemplated by this act into or through any adjoining
3 county, the same proceedings shall be had in such county as to viewers,
4 appraisers, assessments, collection, and all other formalities, as are herein
5 before prescribed for the commencement of such road; and all such proceed-
6 ings shall be had before the county board of the county in which such
7 proposed extension is located.

§ 12. The term "county board," as used in this act, shall be construed to
2 apply to and include the county board of Cook county, the board of super-
3 visors in counties under township organization, and the board of county
4 commissioners in counties not under township organization, in said State.



(Substitute for No. 146.)

1. Introduced by Committee on Judiciary, February 15, 1883, and ordered to first reading.
2. First reading February 15, 1883, and ordered to a second reading.

A BILL

For An Act to amend section eleven (11) of division thirteen (13) of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section eleven (11), division thirteen (13) of an act
3 entitled "An act to revise the law in relation to criminal jurisprudence,"
4 approved March 27, 1874, in force July 1, 1874, be and the same is hereby
5 amended so as to read as follows:
6 "Section 11. Juries in all criminal cases shall be judges of the fact only."



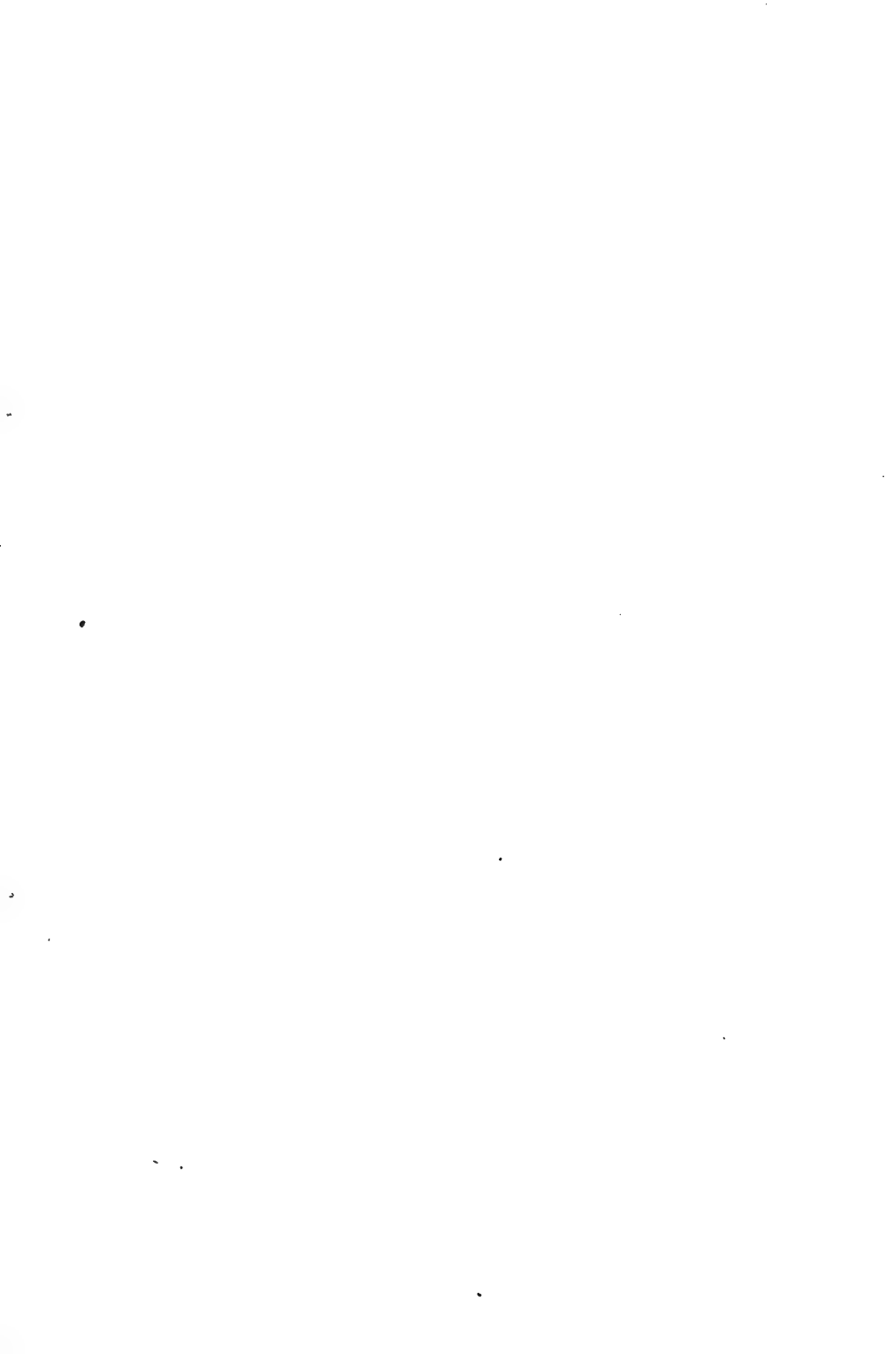
(Substitute for No. 146.)

1. Introduced by Committee on Judiciary, February 15, 1883, and ordered to first reading.
2. First reading February 15, 1883, and ordered to a second reading.
3. Second reading March 2, 1883, and ordered to a third reading.

A BILL

For An Act to amend section eleven (11), of division thirteen (13), of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section eleven (11), division thirteen (13), of an act
3 entitled "An act to revise the law in relation to criminal jurisprudence,"
4 approved March 27, 1874, in force July 1, 1874, be and the same is hereby
5 amended so as to read as follows:
6 "Section 11. Juries in all criminal cases shall be judges of the facts only."



[Substitute for No. 120.]

1. Introduced by Committee on Municipalities, February 14, 1883, and ordered to first reading.
2. First reading February 15, 1883, and ordered to a second reading.

A BILL

For An Act to amend section fourteen (14), of article six (6), of an act entitled
"An act to provide for the incorporation of cities and villages," approved
April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section fourteen (14), of article (6), of an act entitled
3 "An act to provide for the incorporation of cities and villages," approved
4 April 10, 1872, be and the same is hereby amended so as to read as follows:
5 "Section 14. The aldermen and trustees may receive such compensation
6 for their services as shall be fixed by ordinance: *Provided, however,* such
7 compensation shall not exceed \$3 to each aldermen or trustee for each
8 meeting of the city council, or board of trustees, actually attended by him,
9 and no other compensation than for attendance upon such meetings shall
10 be allowed to any alderman or trustee for any services whatever. Such com-
11 pensation shall not be changed, after it has once been established, so as to
12 take effect as to any alderman or trustee voting for such change, during his
13 term of office: *And, provided further,* that in cities of two hundred thousand
14 inhabitants or over, the city council of any such city shall have the power
15 to fix a rate of compensation for its aldermen, at any sum not exceeding one
16 thousand dollars per annum, and that such compensation shall be in lieu
17 of the per diem now established by law."

1. Introduced by Committee on Warehouses February 15, 1883, and ordered to first reading.
2. First reading February 15, 1883, ordered to a second reading.

A BILL

For An Act to amend section 4 of an act entitled "An act to regulate public warehouses and warehousing and inspection of grain, and to give effect to article thirteen (13) of the constitution of the State," approved April 25, 1871, in force July 1, 1871; and to establish a committee of appeal and prescribe their duties, approved April 15, 1873, in force July 1, 1873, as amended by act approved May 31, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section 4 of an act entitled "An act to regulate public
3 warehouses and warehousing and inspection of grain, and to give effect to
4 article thirteen (13) of the constitution of the State," approved April 25, 1871,
5 in force July 1, 1871; and to establish a committee of appeal, and prescribe
6 their duties, approved April 15, 1873, in force July 1, 1873, as amended by
7 act approved May 31, 1879, in force July 1, 1879, be amended as follows:
8 "Section 4. The said committee of appeals shall receive, as full compensation
9 for their services as such committee of appeals, the sum of twenty-five hundred
10 dollars (\$2,500) each per year, said salary to be paid from the inspection fund
11 or by the party asking the appeal, under such rules as the Commissioners
12 may prescribe; and all necessary expense incurred in carrying out the pro-
13 visions of this act, except as herein otherwise provided, shall be paid out of
14 the funds collected for the inspection service, on the order of the Commis-
15 sioners."

1. Introduced by Mr. Duncan, February 15, 1883, and ordered to first reading.
2. First reading February 15, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back March 15, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for and aid training schools for boys.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That any seven or more persons, residents of this State, who may organize, or have organized, under the general laws of this State, relating to corporations, for the purpose of establishing, maintaining and carrying on a training school for boys, shall have, under the corporate name assumed, all the powers, rights and privileges of corporations of this State, not for pecuniary profit, and shall be, and hereby are, exempted from all State and local taxes: Provided, however, that any persons organized, or who may hereafter organize as above set forth; desiring to avail themselves of the provisions of this act, shall first obtain the consent of the Governor thereto, in writing, which consent must be filed in the office of the Secretary of State.*

§ 2. The object of training schools for boys, shall be to provide a home and proper training school for such boys as may be committed to their charge; and they shall be maintained by voluntary contributions, excepting as hereinafter provided.

§ 3. Any responsible person, a resident of any county in this State, may petition the county court, or any court of record of said county, to inquire into the alleged dependency of any boy then within the county, and every boy who shall come within the following descriptions shall be considered

5 a dependent boy, viz: every boy who begs or receives alms while actually
 6 selling, or pretending to sell, any article in public; or who frequents any
 7 street, alley or other place, for the purpose of begging or receiving alms;
 8 or who shall have no permanent place of abode, proper parental care, or
 9 guardianship, or sufficient means of subsistence; or who from other cause
 10 shall be a wanderer through streets and alleys or other public places; or,
 11 who shall live with, or frequent the company of, or consort with reputed
 12 thieves, or other vicious persons, or who shall be found in a poor house.
 13 The petition shall also state the name of the father and mother of the boy,
 14 if living and if known, or if either be dead, the name of the survivor, if
 15 known; and if neither the father nor mother of the boy be living, or to be
 16 found in the county, or their names to be ascertained, then the name of the
 17 guardian, if there be one. If there be a parent living, whose name can be
 18 ascertained, or a guardian, the petition shall set forth not only the depen-
 19 dency of the boy, but shall also show that the parents, or parent, or guardian
 20 are, or is, not fit persons or person to have the custody of such boy. Such
 21 petition shall be verified by oath upon the belief of the petitioner, and upon
 22 being filed the judge of the court shall have the boy named in the petition
 23 brought before him for the purpose of determining the application in said
 24 petition contained, and for the hearing of such petitions the county court
 25 shall be considered always open.

§ 4. Upon the filing of such petition, the clerk of the court shall issue a
 2 writ to the sheriff of the county, directing him to bring such boy before the
 3 court, to order a jury of six to be summoned, to ascertain whether such boy
 4 is a dependent, as alleged in said petition, and also to find if the other alle-
 5 gations are true; and if found to be such, they shall also find his age in
 6 their verdict, and when such boy shall be without counsel, it shall be the
 7 duty of the court to assign counsel for him; and if the jury shall find that
 8 the boy named in the petition is a dependent boy, and that the other
 9 material facts set forth in the petition are true, and if, in the opinion of the
 10 judge, he is a fit person to be sent to a training school for boys, the judge
 11 shall enter an order that such boy be committed to a training school for

12 boys in the county, if there be such in the county; but if there be no such
 13 school in the county, then to any training school for boys elsewhere in the
 14 State, to be in such school kept and maintained until he shall arrive at the
 15 age of ———— years, unless sooner discharged therefrom, in the manner
 16 hereinafter provided. Before the hearing aforesaid, notice shall be given the
 17 parents or parent, or guardian of the boy, if to be found in the county, of
 18 the proceedings about to be instituted, and they may appear and resist the
 19 same, and in making the order of commitment, the judge shall have regard
 20 to the religion of the boy, and shall, whenever practicable, assign him to a
 21 school where he will be in charge of persons of the same religious belief as
 22 that to which the boy does or should belong, whether such training school
 23 be located in the same or some other county.

5. If the court finds as in the preceding section, it shall further order of
 2 record, that such boy has no guardian, or that his guardian or parents or
 3 parent is or are not fit person or persons to have the custody of such boy,
 4 as the case may be, and the court may thereupon appoint the president or
 5 any one of the officers of such training-school the lawful guardian of the
 6 custody and tuition of such boy, and no bond shall be required of such
 7 guardian, and such guardian shall permit such boy to be placed under the
 8 care and in the custody of such training-school for boys, as herein provided.

§ 6. A warrant shall thereupon be issued in duplicate by the clerk
 2 to some suitable person, a resident of the State, to be designated by the
 3 judge, authorizing him or her to take in charge and care the dependent boy,
 4 named in said order, and convey him to the training-school for boys to which
 5 he is to be committed, and said warrant shall be substantially as follows :

6 STATE OF ILLINOIS, }
 7County. } ss.

8 The people of the State of Illinois to.....
 9 You are hereby authorized to take forthwith unto your charge and care
 10aged.....years, who has been declared a dependent
 11 boy, and convey him to the.....(as the case may be, training-
 12 school for boys; and of this warrant you are commanded to make due
 13 return to this court after its execution.

14 Witness my hand and the seal of the.....court of..... county,
 15 this.....day of..... A. D. 18..

16 [Seal of court.]

17

18 Clerk of.....Court of.....County.

19 This warrant, with the receipt thereon, shall be returned to the clerk, to
 20 be filed by him with the other papers relating to the case, and this war-
 21 rant shall be a sufficient and competent authority for the proper officers
 22 and agents of the training-school for boys, to which it is directed, to
 23 receive, keep, and detain the person therein named, and a duplicate copy
 24 thereof shall be delivered to the superintendent or other proper officer of
 25 such school, to be kept by him at the school, which duplicate shall have
 26 thereon a full copy of all indorsements made upon the one returned to
 27 court, and to be recorded by him in a book kept for that purpose, and said
 28 book shall always be open to the inspection of any person.

§ 7. Upon receiving the dependent boy the superintendent of the school
 2 shall indorse upon the warrant {referred to in the preceding section a
 3 receipt, as follows:

4 (As the case may be) Training School for Boys.

5 Received this.....day of....., A. D. 18..., the boy named in
 6 this warrant.

7

8

Superintendent.

9 [Seal of School.]

§ 8. The fees for conveying a dependent boy to a training school for
 2 boys shall be the same as for conveying a juvenile offender to the Reform
 3 School for juvenile offenders at Pontiac, in this State, and they shall be paid
 4 by the counties from which such dependent boys are sent, unless they are
 5 paid by the parent or guardian.

§ 9. For the clothing, tuition, maintenance and care of dependent boys,
 2 the county from which they are sent shall pay to the training school for
 3 boys to which they may be committed, as follows:

4 For each dependent boy under the age of ten years, eight dollars per
5 month.

6 For each dependent boy over ten and under fourteen years of age, seven
7 dollars per month.

8 For each crippled and disabled boy of any age, nine dollars per month.

9 And upon the proper officer rendering proper accounts therefor, quarterly,
10 the county board shall allow and order the same paid out of the county
11 treasury: *Provided*, that no charge shall be made against any county by
12 any training school for boys on account of any dependent boy in the care
13 thereof who shall have been by said school put out to a trade or employ-
14 ment, or for adoption after he shall have been, and so long as he shall so
15 remain put out.

§ 10. The officers and managers of any training school for boys, in this
2 State, shall receive into such school all boys not idiotic and not afflicted
3 with any contagious disease, committed thereto under the provisions of this
4 act, shall have the exclusive custody, care and guardianship of such boys,
5 shall provide for their support and comfort, instruct them in such branches
6 of useful knowledge as may be suited to their years and capacities, and
7 shall cause them to be taught or trained in some trade or industrial pur-
8 suit, and for the purpose of their education and training, and that they
9 may assist in their own support, they shall be required to perform such
10 tasks suitable to their years and sex as may be prescribed by such officers
11 and managers, and as may be reasonable and proper.

§ 11. Any boy committed under the provisions of this act to a training
2 school for boys, may by the officers and managers of said school be placed
3 in the home of any good citizen, upon such terms and for such purpose
4 and time as may be agreed upon, or he may be given to any suitable per-
5 son of good character who will adopt him, or he may be bound to any
6 reputable citizen as an apprentice to learn any trade, or as servant to follow
7 any employment which in the judgment of said officers and managers will
8 be for his advantage; and all and singular of the provisions of the act
9 entitled "An act to revise the law in relation to apprentices," approved

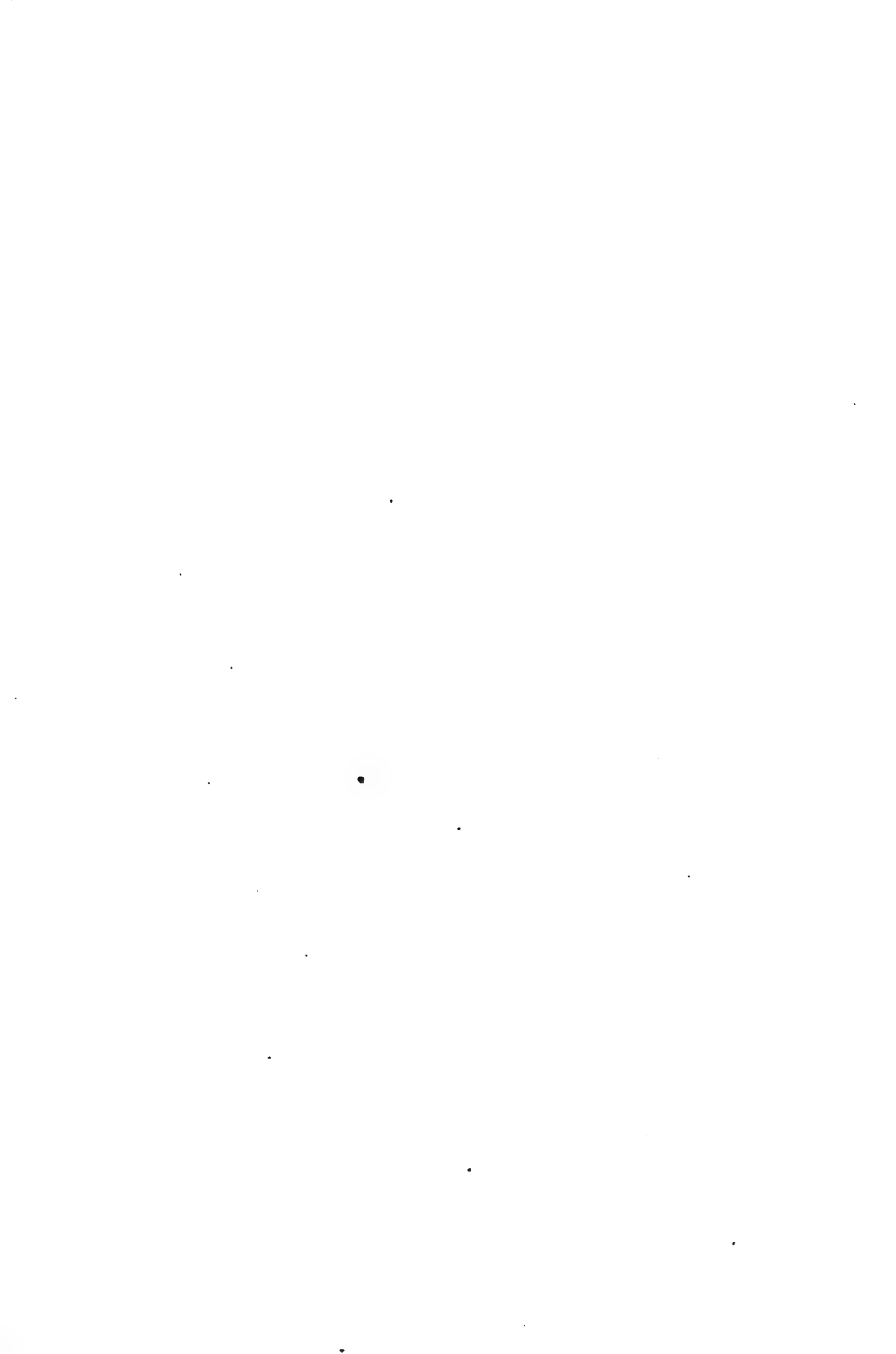
February 25, 1874, in force July 1, 1874. in so far as they are applicable, shall apply to and be binding upon such officers and managers, and upon such boy and upon the person to whom such boy may be bound: *Provided*, that any disposition made of any boy under this act shall not bind him beyond his majority: *And, provided, further*, that such officers and managers shall have a supervising care over such boy after he shall be so put out, to see that he is properly treated and cared for; and in case such boy is cruelly treated, or is neglected, or the terms upon which he shall have been put out to any person be not observed, then it shall be the duty of such officers and managers to take and receive such boy again into the custody, care and protection of said training school. And said officers and managers shall have power to reclaim any boy put out to any person under the terms of this act without the consent of the person to whom the boy may be so put out, whenever in the judgment of said officers and managers the boy shall be cruelly treated, neglected in training, proper instruction or otherwise, or not properly cared for.

§ 12. Any boy committed to a training school for boys under the provisions of this act, may be discharged therefrom at any time in accordance with the rules thereof, when in the judgment of the officers and managers the good of the boy or the good of the school would be promoted by such discharge, and the governor may at any time order the discharge of any boy committed to a training school under the provisions of this act.

§ 13. All training schools for boys in this State, organized under this act, shall be subjected to the same visitation, inspection and supervision of the Board of State Commissioners of Public Charities, as the charitable institutions of this State. But no such training school shall receive an appropriation from the State for any purpose, and any school receiving an appropriation from the State shall not have the benefit of the provisions of this act.

AMENDMENTS TO SENATE BILL NO. 226, OFFERED BY THE COMMITTEE ON STATE CHARITABLE INSTITUTIONS.

1. Amend the title by inserting before the word "An" in the first line of
2 the written bill, the words "a bill for."
- 3 2. Amend by inserting between the words "of" and "years" in the 6th line
4 of page 3, of written bill, the word "twenty-one."

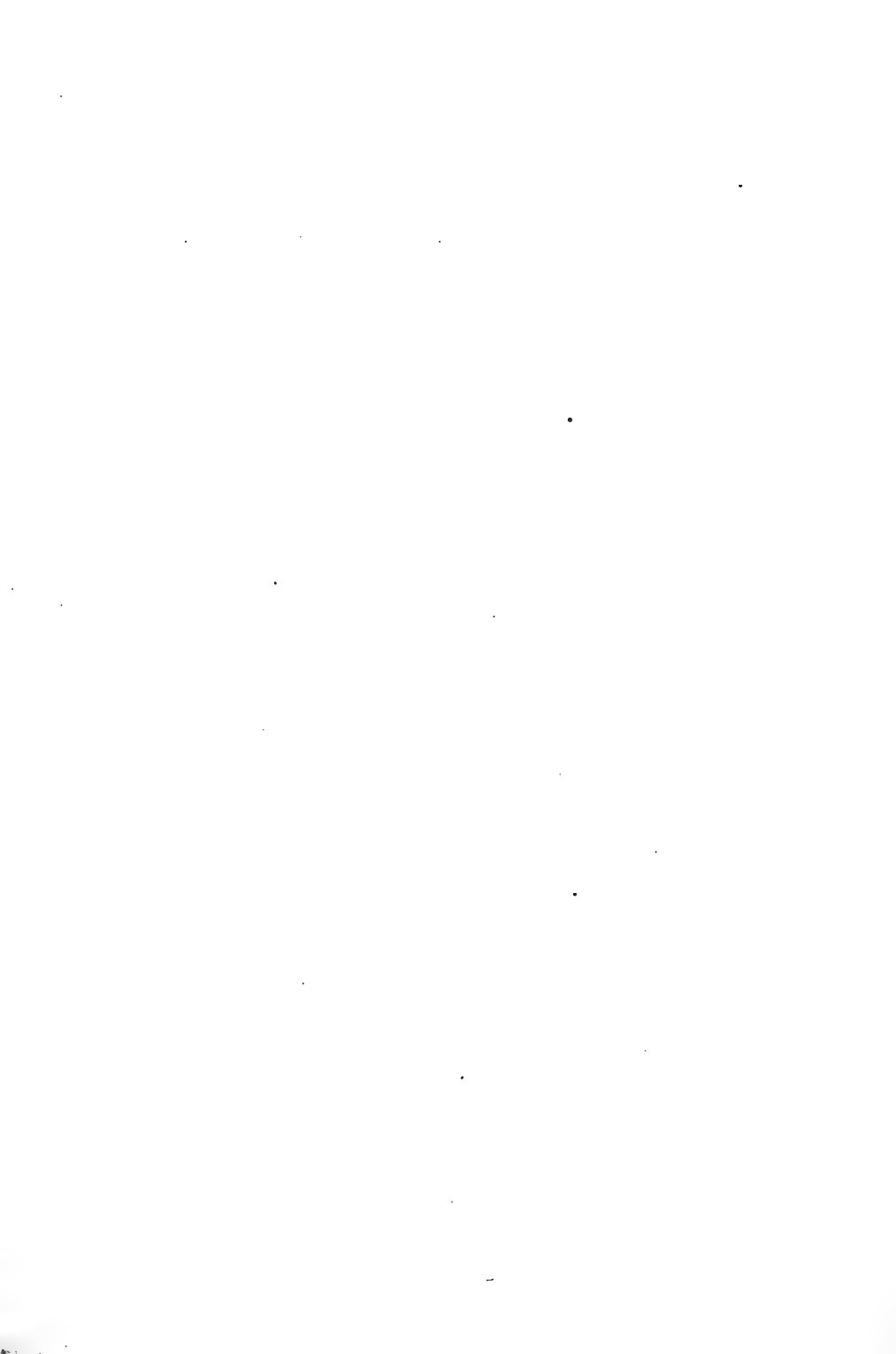


1. Introduced by Mr. Merritt, February 15, 1883, and ordered to first reading.
2. First reading February 15, 1883, and referred to Committee on Corporations.
3. Reported back March 1, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one of an act entitled "An act concerning corporations," approved April 19, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section one of an act entitled "An act concerning
3 corporations," approved April 19, 1879, be and the same is hereby amended
4 so as to read as follows:
5 "Section 1. That corporations may be formed in the manner provided by
6 this act, for any lawful purpose except banking, insurance, real estate broker-
7 age, the operation of railroads and the business of loaning money: *Provided,*
8 that horse and dummy railroads and organizations for the purchase and
9 sale of real estate *for purposes of reclamation and improvement* and for burial
10 purposes only, may be formed and conducted under the provisions of this
11 act: *And provided, further,* that corporations formed for the purpose of con-
12 structing railroad bridges, shall not be held to be railroad corporations."



1. Introduced by Mr. Merritt February 15, 1883, read first time and referred to Committee on Corporations.
2. Reported back March 1, 1883, passage recommended, and ordered to a second reading.
3. Second reading April 5, 1883, and ordered to a third reading.
4. Third reading May 11, 1883, and recommitted to Committee on Judiciary.
5. Reported back May 16, 1883, with amendment, passage recommended and ordered to a second reading.

AMENDMENT TO SENATE BILL NO. 227, PROPOSED BY THE COMMITTEE
ON JUDICIARY.

Amend, by inserting after the word improvement, in the 12 line of section
1, the words "of overflowed and swamp lands."

A BILL

For An Act to amend section one of an act entitled "An act concerning corporations," approved April 19, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section one of an act entitled "An act concerning
3 corporations," approved April 19, 1879, be and the same is hereby amended,
4 so as to read as follows:
5 "Section 1. That corporations may be formed in the manner provided by
6 this act, for any lawful purpose except banking, insurance, real estate, broker-
7 age, the operation of railroads and the business of loaning money: *Provided,*
8 that horse and dummy railroads and organizations for the purchase and
9 sale of real estate *for purposes of reclamation and improvement* and for burial
10 purposes only, may be formed and conducted under the provisions of this
11 act: *And provided, further,* that corporations formed for the purpose of con-
12 structing railroad bridges, shall not be held to be railroad corporations."



1. Introduced by Mr. Duncan, February 15, 1883, and ordered to first reading.
2. First reading February 15, 1883, and referred to Committee on Mines and Mining.
3. Reported back April 27, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the appointment of an Instructor in Mining at the Illinois Industrial University, and to fix the salary of such Instructor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That there be appointed by the proper officers of the
3 Illinois Industrial University, an instructor of mining, who shall, when ap-
4 pointed, devote his time and services to the said department of instruction
5 in mining as applicable to the wants of such industry in this State, and as
6 other departments of instruction are conducted at said Institute.

§ 2. That the salary to be paid such instructor in mining shall be the
2 sum of fifteen hundred dollars per annum.

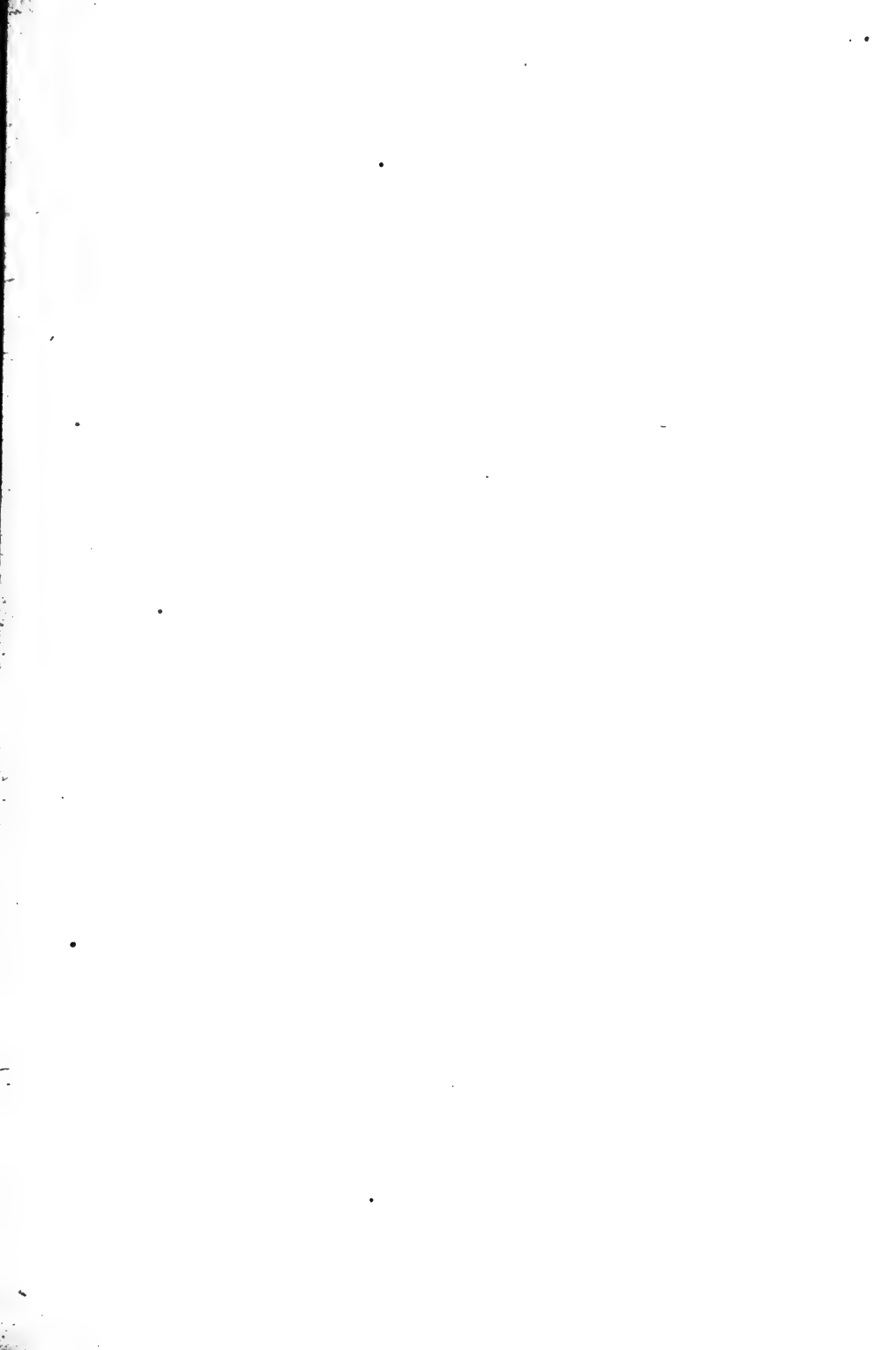


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1. Introduced by Mr. Duncan, February 15, 1883, read first time, and referred to Committee on Mines and Mining.
 2. Reported back April 27, 1883, passage recommended and ordered to second reading.
 3. Second reading May 8, 1883, amended and ordered to third reading.
-

A BILL

For An Act to provide for the appointment of an instructor in mining at the Illinois Industrial University and to fix the salary of such instructor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That there be appointed by the proper officers of the Illi-
3 nois Industrial University, an instructor of mining, who shall, when ap-
4 pointed, devote his time and services to the said department of instruction
5 in mining, as applicable to the wants of such industry in this State, and as
6 other departments of instruction are conducted at said Institute.



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1. Introduced by Mr. Lemma, February 15, 1883, and ordered to first reading.
 2. First reading February 15, 1883, and referred to Committee on Revenue.
 3. February 16, 1883, 200 copies ordered printed for use of Committee.
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A BILL

For An Act to encourage the construction of permanent State roads.

SECTION 1. *Be it enacted [by the People of the State of Illinois, represented in the*
2 *General Assembly.]* That for the purpose of encouraging the construction of
3 permanent rock, gravel or macadam roads in this State, and for the purpose
4 of reimbursing the several counties in the State in such sums as have been
5 levied in excess of taxation and now remains to the credit of the revenue
6 fund, there be appropriated out of the general revenue fund and appor-
7 tioned among the several counties of this State, a sum equal to the amount
8 gross levied by said county or other authorities during the year 1883, and
9 every year thereafter, for road and bridge purposes.

§ 2. That it shall be the duty of the auditor of State to annually, before
2 the first day of July, make such pro rata credit to all such counties as avail
3 themselves of the provisions of this act, and upon the completion of such
4 pro rata allotment his warrant upon the State treasurer shall stand to the
5 credit of such county, to be paid when called for.

§ 3. That the provisions of this act shall apply only to such county
2 authorities as begin and carry on the construction of permanent roads by
3 responsible contract and under the direction of competent civil engineers.



(Substitute for Senate Bill No. 92.)

1. Introduced by the Committee on Corporations, February 16, 1883, and ordered to first reading.
2. First reading February 17, 1883, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That an act to amend an act entitled "An act to revise the
3 law in relation to telegraph companies," approved March 24, 1874, and in force
4 July 1, 1874, being chapter 184 of the Revised Statutes of the State of Illinois,
5 be and the same is hereby amended by the addition of the following
6 thereto:

7 "Section 11. No telegraph companies incorporated or doing business in this
8 State shall have power to contract with any owner of land or with any rail-
9 road company for the right to erect or maintain a telegraph line over his,
10 her, or its lands, or over the right of way of any such railroads, to the
11 exclusion of the lines of other telegraph companies organized or doing
12 business under the laws of this State; and every such contract shall be void,
13 and of no effect.

14 "Section 12. If any company, corporation, or person owning or operating
15 any telegraph line within this State, shall directly or indirectly interfere to
16 prevent or delay the construction, erection, maintenance, or operation of any
17 other telegraph line in the course of being constructed, erected or operated
18 within this State by any person, corporation or telegraph company organized

19 under the laws of this State, or shall by any act prevent, hinder or delay
20 the procurement of the right of way for the same by any device whatsoever,
21 such person or corporation so offending, as aforesaid, shall be deemed guilty
22 of a misdemeanor, and shall, upon conviction thereof, be fined in any sum
23 not less than one thousand dollars nor more than five thousand dollars for
24 the first offense, and for the second offense not less than five thousand dol-
25 lars nor more than ten thousand dollars, and for the third offense not less
26 than ten thousand dollars nor more than twenty thousand dollars, and for
27 every subsequent offense and conviction thereon shall be liable of a fine of
28 twenty-five thousand dollars; said offending company or person shall also be
29 liable for any damages which may accrue, by reason of such interference, to
30 the person or corporation so interfered with, to be recovered by action on
31 the case or otherwise: *Provided*, that in all cases under this act either party
32 shall have the right of trial by jury.

33 "Section 13. It shall be the duty of the Board of Railroad and Warehouse
34 Commissioners to enforce all laws governing telegraph companies in this
35 State."

1. Introduced by the Committee on Corporations, February 16, 1883, and ordered to first reading.
2. First reading February 17, 1883, and ordered to second reading.
3. Second reading March 7, 1883, amended and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874, by adding thereto sections eleven (11) and twelve (12).

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly*, That an act entitled "An act to revise the law in relation
- 3 to telegraph companies," approved March 24, 1874, in force July 1, 1874, be and
- 4 the same is hereby amended by adding thereto sections eleven (11) and
- 5 twelve (12).
- 6 "Section 11. No telegraph companies incorporated or doing business in this
- 7 State shall have power to contract with any owner of land, or with any rail-
- 8 road company, for the right to erect or maintain a telegraph line over his,
- 9 her, or its lands, or over the right of way of any such railroads, to the
- 10 exclusion of the lines of other telegraph companies organized or doing business
- 11 under the laws of this State; nor shall any such railroad company have power
- 12 to make such contract with any such telegraph company; and every such con-
- 13 tract shall be void and of no effect.
- 14 "Section 12. If any company, corporation, or person owning or operating
- 15 any telegraph line within this State, or any railroad company, shall unlaw-
- 16 fully directly or indirectly interfere to prevent or delay the construction,
- 17 erection, maintenance or operation of any other telegraph line in the course of
- 18 being constructed, erected or operated within this State by any person, corpo-

19 ration or telegraph company organized under the laws of this State, or shall by
20 any act prevent, hinder or delay the procurement of the right of way for the
21 same by any device whatsoever, such person or corporation so offending, as
22 aforesaid, shall be deemed guilty of a misdemeanor, and shall, upon conviction
23 thereof, be fined in any sum not less than one thousand dollars nor more than
24 five thousand dollars for the first offense, and for the second offense not less than
25 five thousand dollars nor more than ten thousand dollars, and for the third
26 offense not less than ten thousand dollars nor more than twenty thousand dol-
27 lars, and for every subsequent offense and conviction thereon shall be liable to a
28 fine of twenty-five thousand dollars; said offending company or person shall also
29 be liable for any damages which may accrue, by reason of such interference, to
30 the person or corporation so interfered with, to be recovered by action on
31 the case or otherwise: *Provided*, that in all cases under this act either party
32 shall have the right of trial by jury."

1. Introduced by Mr. Adams, February 16, 1883, and ordered to first reading.
2. First reading February 16, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 11, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back May 3, 1883, with amendments, passage recommended, and ordered to a second reading.

**AMENDMENT TO SENATE BILL 232, RECOMMENDED BY COMMITTEE
ON APPROPRIATIONS.**

Amend by striking out the words and figures "eight thousand (\$8,000) dollars," in section
2 one of written bill, and insert in lieu thereof the words and figures "five thousand dollars
3 (\$5,000)."

A BILL

For An Act to appropriate money for the support of a school for deaf and dumb children in the
city of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That there be and is hereby appropriated out of any money in the State
3 Treasury not otherwise appropriated, the sum of eight thousand (\$8,000) dollars, as a dona-
4 tion for the benefit of, and to be used in the support and maintenance of the school for the
5 education of deaf and dumb children, located in the city of Chicago, and under the manage-
6 ment and control of the board of education of the city of Chicago; said money to be used in
7 the education of deaf and dumb children in said school, and said school shall, so far as its
8 accommodations will permit, receive deaf and dumb children of school age from any por-
9 tion of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sum of money hereby appropriated in favor of the treasurer of the city of Chicago, upon the order of the board of education of the city of Chicago, signed by the president and attested by the secretary of said board, and filed in the office of the Auditor, and said money shall only be drawn from the treasury of said city upon the orders of the said board of education for the expenses incurred in the education of deaf and dumb children in said school.

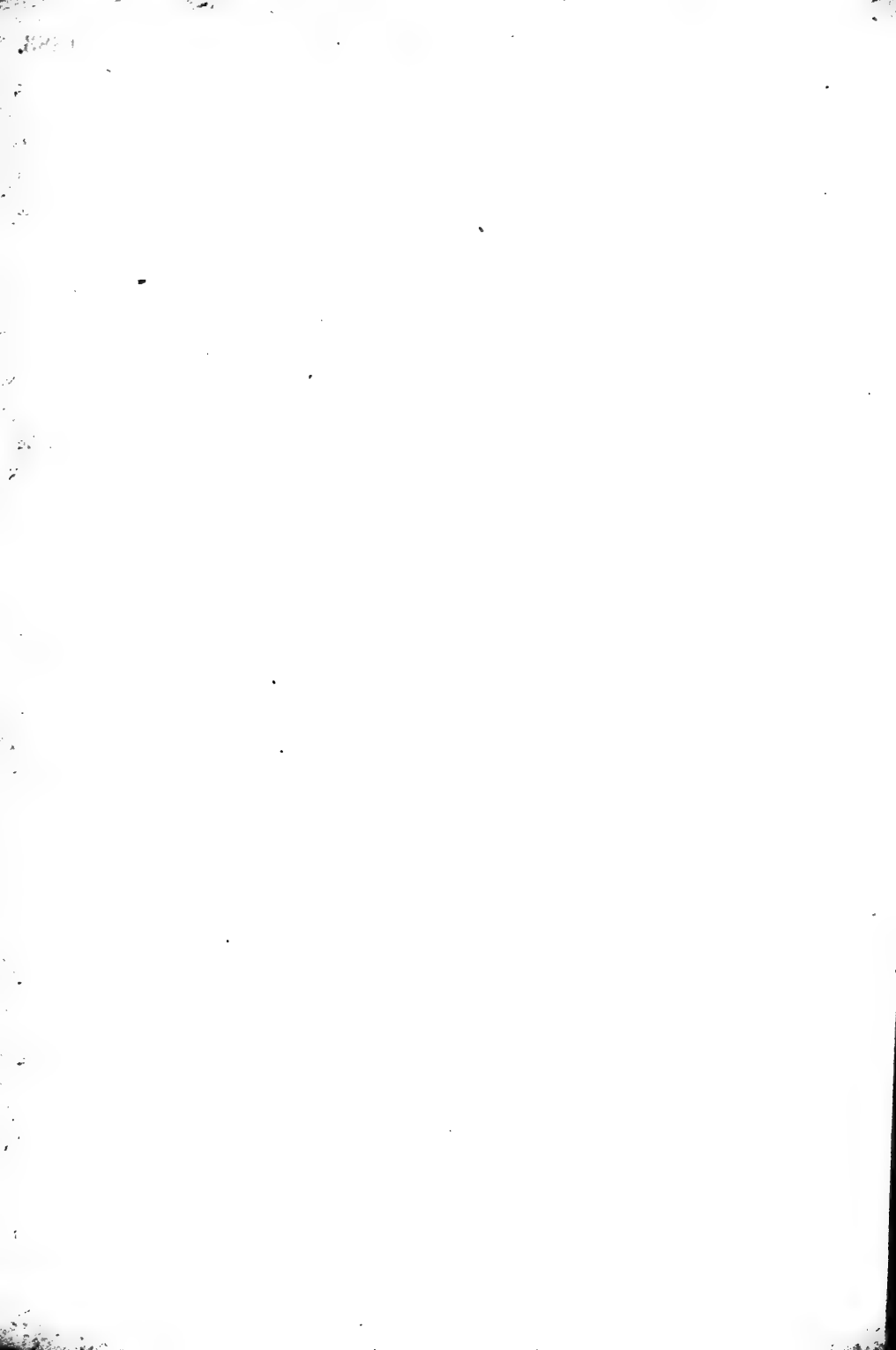
1. Introduced by Mr. Adams, February 16, 1883, and ordered to first reading.
2. First reading February 16, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 11, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back May 3, 1883, with amendments, passage recommended, and ordered to a second reading.
5. Second reading May 9, 1883, amended, and ordered to third reading.

A BILL

For An Act to appropriate money for the support of a school for deaf and dumb children in the city of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there be and is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of five thousand (\$5,000) dollars, as a donation for the benefit of, and to be used in the support and maintenance of the school for the education of deaf and dumb children located in the city of Chicago, and under the management and control of the board of education of the city of Chicago; said money to be used in the education of deaf and dumb children in said school, and said school shall, so far as its accommodations will permit, receive deaf and dumb children of school age from any portion of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sum of money hereby appropriated in favor of the treasurer of the city of Chicago, upon the order of the board of education of the city of Chicago, signed by the president and attested by the secretary of said board, and filed in the office of the Auditor, and said money shall only be drawn from the treasury of said city upon the orders of the said board of education for the expenses incurred in the education of deaf and dumb children in said school.



1. Reported to House May 16, 1883.
2. First reading May —, 1883, and referred to Committee on Appropriations.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 18, 1883.

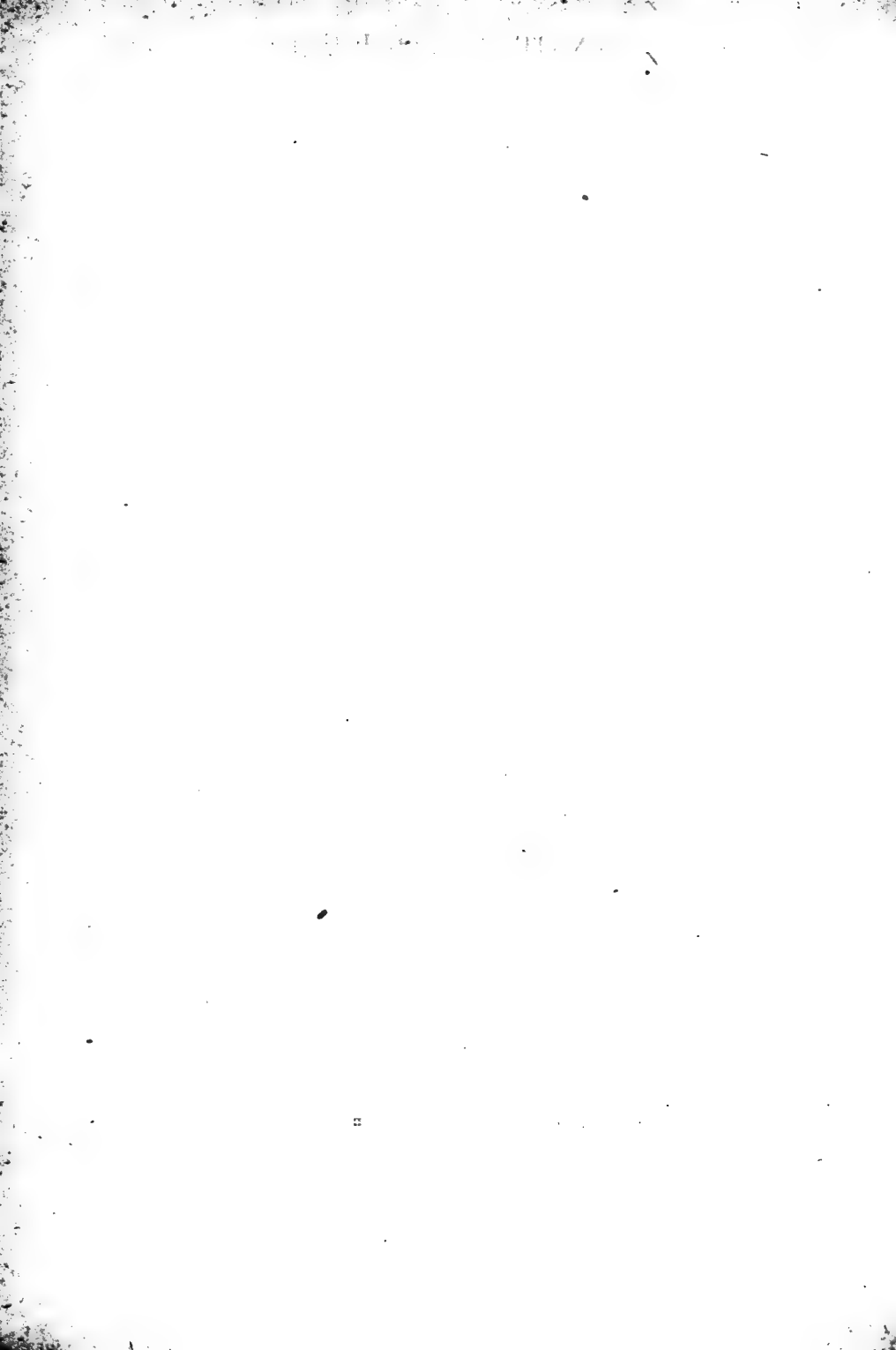
A BILL

For An Act to appropriate money for the support of a school for deaf and dumb children in the city of Chicago.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 General Assembly: That there be and is hereby appropriated out of any money in the State
3 Treasury not otherwise appropriated, the sum of five thousand (\$5,000) dollars, as a dona-
4 tion for the benefit of, and to be used in the support and maintenance of the school for the
5 education of deaf and dumb children, located in the city of Chicago, and under the manage-
6 ment and control of the board of education of the city of Chicago; said money to be used in
7 the education of deaf and dumb children in said school, and said school shall, so far as its
8 accommodations will permit, receive deaf and dumb children of school age from any por-
9 tion of the State.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his war-
2 rant on the State Treasurer for the sum of money hereby appropriated in favor of the treasurer
3 of the city of Chicago, upon the order of the board of education of the city of Chicago, signed
4 by the president and attested by the secretary of said board, and filed in the office of the Audi-
5 tor, and said money shall only be drawn from the treasury of said city upon the orders of
6 the said board of education for the expenses incurred in the education of deaf and dumb
7 children in said school.

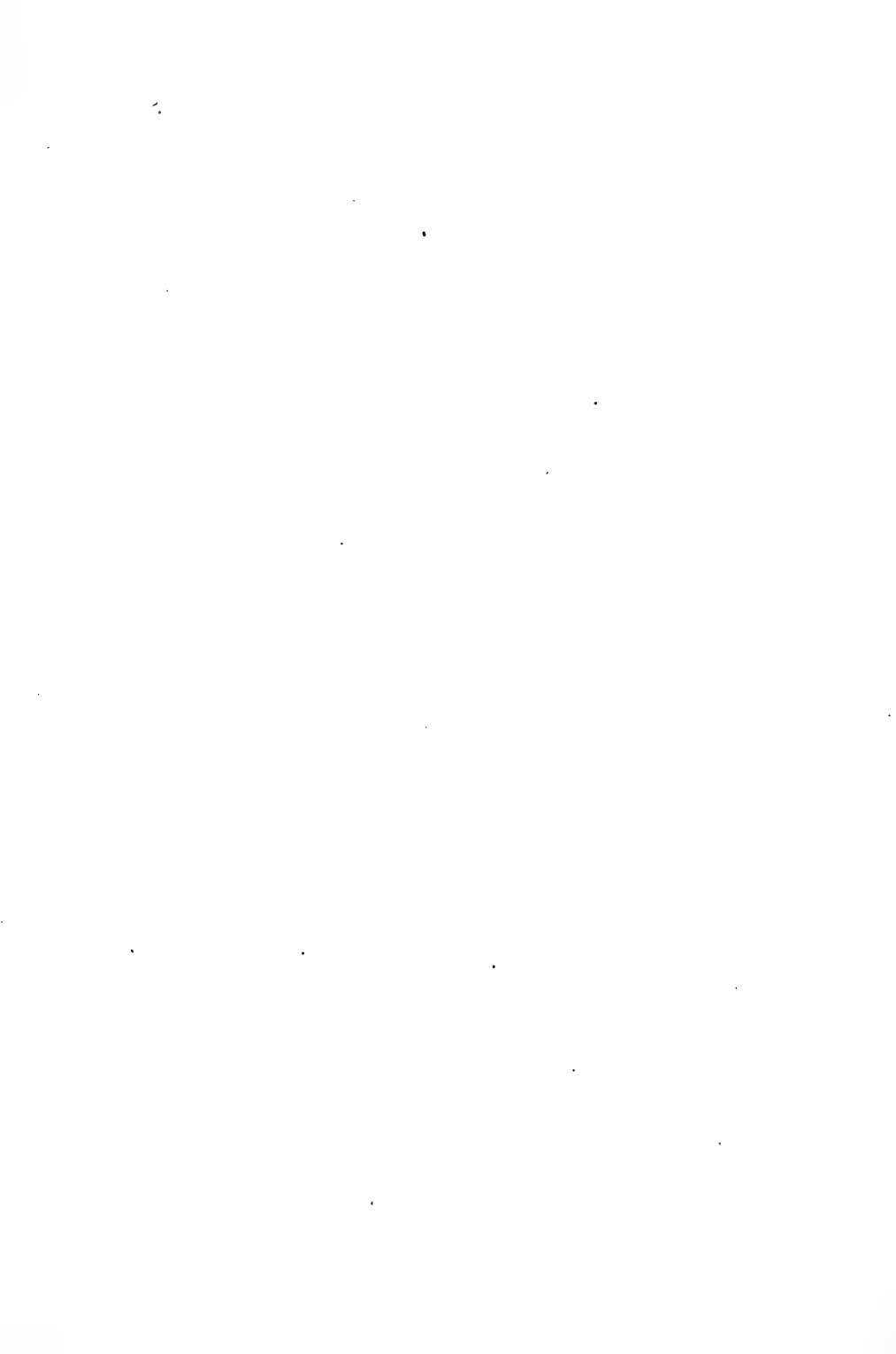


1. Introduced by Mr. Merritt, February 16, 1883, and ordered to first reading.
2. First reading February 17, 1883, and referred to Committee on Corporations.
3. Reported back March 22, 1883, with a minority report, ordered to second reading, and to be printed.

A BILL

For An Act to restrict telegraph monopoly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* If any telegraph or telephone company, incorporated or
3 doing business in this State, shall exclude, or attempt to exclude, any other
4 like company from constructing its lines and establishing offices, or doing
5 business in or at any particular place or premises not already necessarily
6 any wholly occupied for such purposes, or prevent such company from con-
7 necting with the wires of other companies, or interchanging business with
8 them, by virtue of any contract or agreement with the owner of such place
9 or premises, or the company with which such connections and interchanges
10 of business is desired, the company so offending shall forfeit its right to do
11 business in this State, and may be enjoined, by bill in equity, from interfer-
12 ing therewith, and shall be liable for all damages that may occur to the in-
13 jured party, to be recovered in an action in the case.



1. Introduced by Mr. Merritt, February 16, 1883, and ordered to first reading.
2. First reading February 17, 1883, and referred to Committee on Corporations.
3. Reported back with majority report that it "do not pass." Minority report, "do pass," substituted for majority report and bill ordered to second reading.
4. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to restrict telegraph monopoly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* If any telegraph company, incorporated or doing business
3 in this State, shall exclude, or attempt to exclude, any other like company from
4 constructing its lines and establishing offices, or doing business in or at any
5 particular place or premises not already necessarily and wholly occupied for
6 such purposes, or prevent such company from connecting with the wires of
7 other companies, or interchanging business with them, by virtue of any
8 contract or agreement with the owner of such place or premises, or the
9 company with which such connections and interchanges of business are
10 desired, the company so offending shall be deemed guilty of a misdemeanor,
11 and shall, upon a conviction thereof, be fined in any sum not less than one
12 thousand dollars, nor more than five thousand dollars for the first offense, and
13 for the second offense not less than five thousand dollars, nor more than ten
14 thousand dollars, and for the third offense not less than ten thousand
15 dollars, nor more than twenty thousand dollars; and for every subsequent
16 offense and conviction thereof shall be liable for twenty-five thousand
17 dollars. Said offending company or person shall also be liable for any
18 damages that may accrue, by reason of such interference, to the person or
19 corporation so interfered with, to be recovered by action on the case or
20 otherwise: *Provided*, that in all cases under this act either party shall have
21 the right of trial by jury.

(Substitute for Senate Bill No. 20 and 74.)

1. Introduced by the Committee on Fees and Salaries, February 17, 1883, and ordered to first reading.
2. First reading February 17, 1883, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly, That* Section 14, of an act entitled "An act concerning fees
3 and salaries, and to classify the several counties of this State with reference
4 thereto," approved March 29, 1872, in force July 1, 1872; title as amended by
5 act approved March 28, 1874, in force July 1, 1874, be amended so as to read
6 as follows:

7 "Section 14. At the time of the commencement of every suit at law, or in
8 equity, in any court of record in counties of the first and second class, ex-
9 cept in probate matters, the party or parties commencing such suit, or, in
10 case of appeal from any inferior court, the party or parties appellant or
11 appellants, shall pay to the clerk of the court the sum of three dollars, and
12 which sum shall be in full payment for all services to be performed on be-
13 half or such party or parties appellant or appellants, in the progress of such
14 suit from the commencement until the final determination thereof, except
15 for making copies of papers, or orders, or copies of a complete record, or a trans-
16 cript of a record to a higher court, and except in cases where any defense
17 is made. No defendant or defendants, appellee or appellees, shall be entitled

18 to enter his, or her, or their appearance, or file any plea, answer or demurrer
 19 in any suit at law or equity in such courts until he, she or they shall pay
 20 to the clerk the sum of three dollars, to be taxed as costs in the suit, which
 21 shall be in full payment of any or all services rendered, or to be rendered
 22 by the clerk, for or in behalf of the defendant or defendants, appellee or
 23 appellees, in or during the progress of such suit to the final determination
 24 thereof, except for the making of copies of papers or record, a complete
 25 record, or a record for a higher court. Whenever any defendant or defend-
 26 ants, appellee or appellees, shall enter any appearance, or file any plea,
 27 answer or demurrer in any suit at law or equity in such courts, before the
 28 party or parties commencing such suit, or appellant or appellants, shall further
 29 prosecute such suit or appeal, or join issue or file any subsequent pleading,
 30 he, she or they shall be required to pay to the clerk a further sum of three
 31 dollars, which shall be taxed as costs in the suit, and which, including the
 32 sum already paid, shall, in such cases, be full payment of all services per-
 33 formed by such clerk on behalf of such party or parties commencing such
 34 suit, or such appellant or appellants, from the commencement to the final deter-
 35 mination thereof, except the making of copies of papers or orders, or complete
 36 record, or record to a higher court. Clerks of courts of record in this State,
 37 except in probate matters, in counties of the first and second class, shall be
 38 allowed further, as follows: For taking and certifying the acknowledgment
 39 of a deed, or other writing, twenty-five cents; for swearing any person to an
 40 affidavit, not to be used in a case in the court of which he is clerk, with
 41 certificate and seal, twenty five cents; for each certificate and seal, not in a
 42 case in the court of which he is clerk, twenty-five cents; for filing declara-
 43 tion of intention to become a citizen, administering oath of application, and
 44 certifying declaration under seal, fifty cents; for filing papers on application
 45 for naturalization, for administering oaths to party and witnesses for making
 46 entry of record of naturalization, and for making and certifying copy of the
 47 same under seal of court, fifty cents."

§ 2. All acts, or parts of acts, inconsistent with this act, are hereby re-

1. Introduced by Mr. Shaw, February 7, 1883, and ordered to first reading.
2. First reading February 7, 1883, and referred to Committee on Appropriations.
3. Reported back March 9, 1883, with amendment, passage recommended, and ordered to second reading.

AMENDMENT RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

Amend by inserting the words "of William Allen, deceased," in line 13 of the second
3 page of the written bill, after the word "estate," and strike out the word "his" in same
3 line and insert in lieu thereof the word "the."

A BILL

For An Act for the relief of the estate of William Allen, of Putnam county, Illinois, and making
an appropriation for the benefit thereof.

WHEREAS, the General Assembly, by an act entitled "An act to provide for the payment
2 of damages to lands and other property sustained by the owners thereof by the construc-
3 tion of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and
4 by the construction of the dam on the Illinois river near Henry, in Marshall county, Illi-
5 nois," approved May 31, 1879, appropriated (among other appropriations for the benefit of
6 many of such owners) to the said William Allen, the sum of one thousand nine hundred
7 dollars, for damages sustained by him to his lands by reason of the construction of the said
8 dam across the Illinois river near Henry, Illinois; and
9 **WHEREAS**, the said one thousand nine hundred dollars remains wholly unpaid, said
10 William Allen is dead, and the said appropriation has lapsed into the State Treasury; there-
11 fore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
 2 *in the General Assembly,* That the said sum of one thousand nine hundred dollars be and
 3 the same is hereby appropriated to the use and benefit of his estate, in payment of the dam-
 4 ages allowed to him in the above act, and the same shall be in full of all claim or demand
 5 for damages against the State sustained by said William Allen or his heirs at law, by reason
 6 of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts of all such damages
 2 by the administrator or administrators of the estate of the said William Allen, the Auditor
 3 of Public Accounts shall draw his warrant for the said sum of one thousand nine hundred
 4 dollars on the State Treasurer, payable out of any funds not otherwise appropriated, in the
 5 State Treasury, in favor of the administrator or administrators of the said estate, and the
 6 State Treasurer shall pay the same out of any funds in the State Treasury not otherwise ap-
 7 propriated.

1. Introduced by Mr. Shaw, February 7, 1883, and read a first time, and referred to Committee on Appropriations.
2. Reported back March 9, 1883, with amendments, passage recommended, and ordered to second reading.
3. Second reading April 10, 1883, amended, and ordered to third reading.

A BILL

For An Act for the relief of the estate of William Allen, of Putnam county, Illinois, and making an appropriation for the benefit thereof.

WHEREAS, the General Assembly, by an act entitled "An act to provide for the payment of damages to lands and other property sustained by the owners thereof, by the construction of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and by the construction of the dam on the Illinois river near Henry, in Marshall county, Illinois," approved May 31, 1879, appropriated (among other appropriations for the benefit of many of such owners) to the said William Allen, the sum of one thousand nine hundred dollars, for damages sustained by him to his lands by reason of the construction of the said dam across the Illinois river near Henry, Illinois; and,

WHEREAS, the said one thousand nine hundred dollars remains wholly unpaid, said William Allen is dead, and the said appropriation has lapsed into the State Treasury; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said sum of one thousand nine hundred dollars be, and the same is hereby appropriated to the use and benefit of the estate of William Allen, deceased, in payment of the damages allowed to him in the above act, and the same shall be in full of all claim or demand for damages against the State sustained by said William Allen or his heirs at law, by reason of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts of all such damages to the administrator or administrators of the estate of the said William Allen, the Auditor

3 of Public Accounts shall draw his warrant for the said sum of one thousand nine hundred
4 dollars on the State Treasurer, payable out of any funds not otherwise appropriated, in the
5 State Treasury, in favor of the administrator or administrators of the said estate, and the
6 State Treasurer shall pay the same out of any funds in the State Treasury not otherwise ap-
7 propriated.

1. Reported to House April 21, 1883.
2. First reading April 30, 1883, and referred to Committee on Appropriations.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 11, 1883.

AMENDMENTS BY COMMITTEE ON CLAIMS TO SENATE BILL NO. 237.

- Amend by inserting after the word "damages," in the 3d line of section two, of written bill, the words, "which have accrued or may hereafter accrue."
- Amend by inserting after the word "Allen," in the 4th line of section two of written bill, "and the present owner or owners of all land formerly owned by said Allen, and damaged by the construction of the dam on the Illinois river, near Henry."

A BILL

For An Act for the relief of the estate of William Allen, of Putnam county, Illinois, and making an appropriation for the benefit thereof.

- WHEREAS**, the General Assembly, by an act entitled "An act to provide for the payment of damages to lands and other property sustained by the owners thereof, by the construction of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and by the construction of the dam on the Illinois river near Henry, in Marshall county, Illinois," approved May 31, 1879, appropriated (among other appropriations for the benefit of many such of owners) to the said William Allen, the sum of one thousand nine hundred dollars, for damages sustained by him to his lands by reason of the construction of the said dam across the Illinois river near Henry, Illinois; and,
- WHEREAS**, the said one thousand nine hundred dollars remains wholly unpaid, said William Allen is dead, and the said appropriation has lapsed into the State Treasury; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly:* That the said sum of one thousand nine hundred dollars be and the
3 same is hereby appropriated to the use and benefit of the estate of William Allen, deceased,
4 in payment of the damages allowed to him in the above act, and the same shall be
5 in full of all claim or demand for damages against the State sustained by said William
6 Allen, or his heirs-at-law, by reason of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts of all such damages
2 by the administrator or administrators of the estate of the said William Allen, the Auditor
3 of Public Accounts shall draw his warrant for the said sum of one thousand nine hundred
4 dollars on the State Treasurer, payable out of any funds not otherwise appropriated in the
5 State Treasury, in favor of the administrator or administrators of the said estate, and the State
6 Treasurer shall pay the same out of any funds in the State Treasury not otherwise appropri-
7 ated.

HOUSE AMENDMENTS TO SENATE BILL NO. 237.

Amend, by inserting after the word "damages," in the third line of section
2 two of written bill, the words " which have accrued, or may hereafter accrue."

3 Amend, by inserting after the word "Allen," in the sixth line of section two
4 of written bill, "and the present owner or owners of all land formerly owned by
5 said Allen and damaged by the construction of the dam on the Illinois river,
6 near Henry."

7 Amend the amendment, by inserting after the word "owners," the words
8 "and the grantee or grantees of said William Allen."



1. Introduced by Mr. Shaw, February 17, 1883, and ordered to first reading.
2. First reading February 17, 1883, and referred to Committee on Appropriations.
3. Reported back March 9, 1883, passage recommended, and ordered to second reading.

A BILL

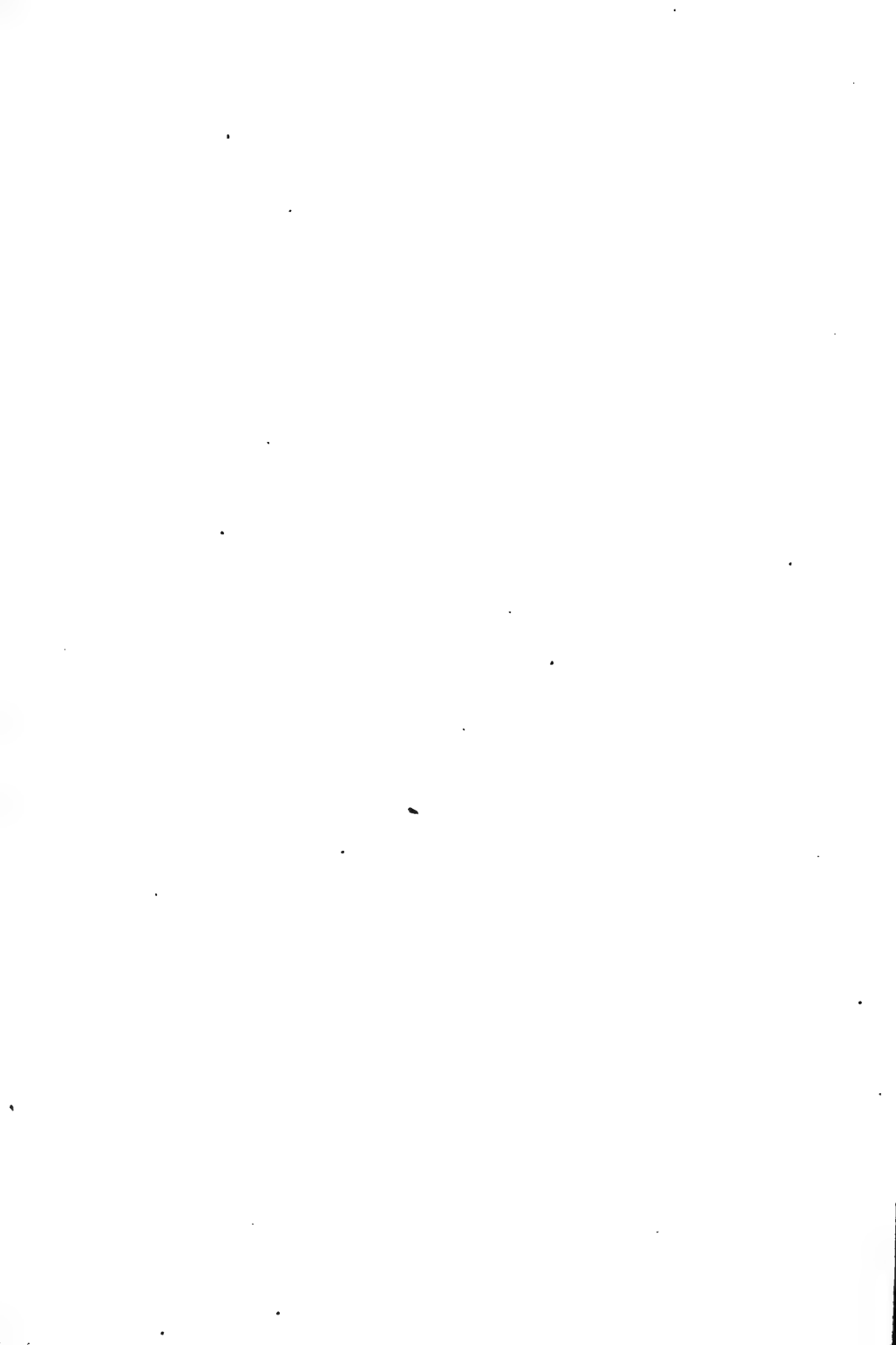
For An Act for the relief of Hiram W. White, of Putnam county, Illinois, and making an appropriation in his favor.

WHEREAS, The General Assembly, by an act entitled "An act to provide for the payment of damages to lands and other property, sustained by the owners thereof, by the construction of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and by the construction of the dam on the Illinois river near Henry, in Marshall county, Illinois," approved May 31, 1879, appropriated (among other appropriations for the benefit of many such owners) to the said Hiram W. White, the sum of five hundred and sixty-five dollars for the damages sustained by him to his lands, by reason of the construction of the said dam across the Illinois river near Henry, Illinois; and,

WHEREAS, the said five hundred and sixty-five dollars remains wholly unpaid, and the same is lapsed into the State Treasury without his fault; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the said sum of five hundred and sixty-five dollars be and the same is hereby appropriated to the use and benefit of the said Hiram W. White, in payment of the damages allowed to him in the above act, and the same shall be in full of all claim or demand for damages against the State sustained by said Hiram W. White, by reason of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts, of all such damages by the said Hiram W. White, the Auditor of Public Accounts shall draw his warrant on the State Treasurer for the said sum of five hundred and sixty-five dollars, in favor of the said Hiram W. White, payable out of any funds in the State Treasury not otherwise appropriated.



1. Reported to House April 21, 1883.
2. First reading April 30, 1883, and referred to Committee on Appropriations.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 1, 1883.

AMENDMENTS BY THE COMMITTEE ON CLAIMS TO SENATE BILL

NO. 238.

- Amend by inserting after the word "damages," in the 3d line of section two, of written
- 2 bill, the words, "which have accrued or may hereafter accrue."
- 3 Amend by inserting after the word "White," in the 3d line of the aforesaid section and
- 4 bill, the words, "and the present owner or owners of all land formerly owned by said White,
- 5 and damaged by the construction of the dam on the Illinois river, near Henry."

A BILL

For An Act for the relief of Hiram W. White, of Putnam county, Illinois, and making an appropriation in his favor.

WHEREAS, The General Assembly, by an act entitled "An act to provide for the payment

2 of damages to lands and other property, sustained by the owners thereof, by the construction

3 of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and by

4 the construction of the dam on the Illinois river near Henry, in Marshall county, Illinois,"

5 approved May 31, 1879, appropriated (among other appropriations for the benefit of many

6 such owners) to the said Hiram W. White, the sum of five hundred and sixty-five dollars

7 for the damages sustained by him to his lands, by reason of the construction of the said dam

8 across the Illinois river near Henry, Illinois; and,

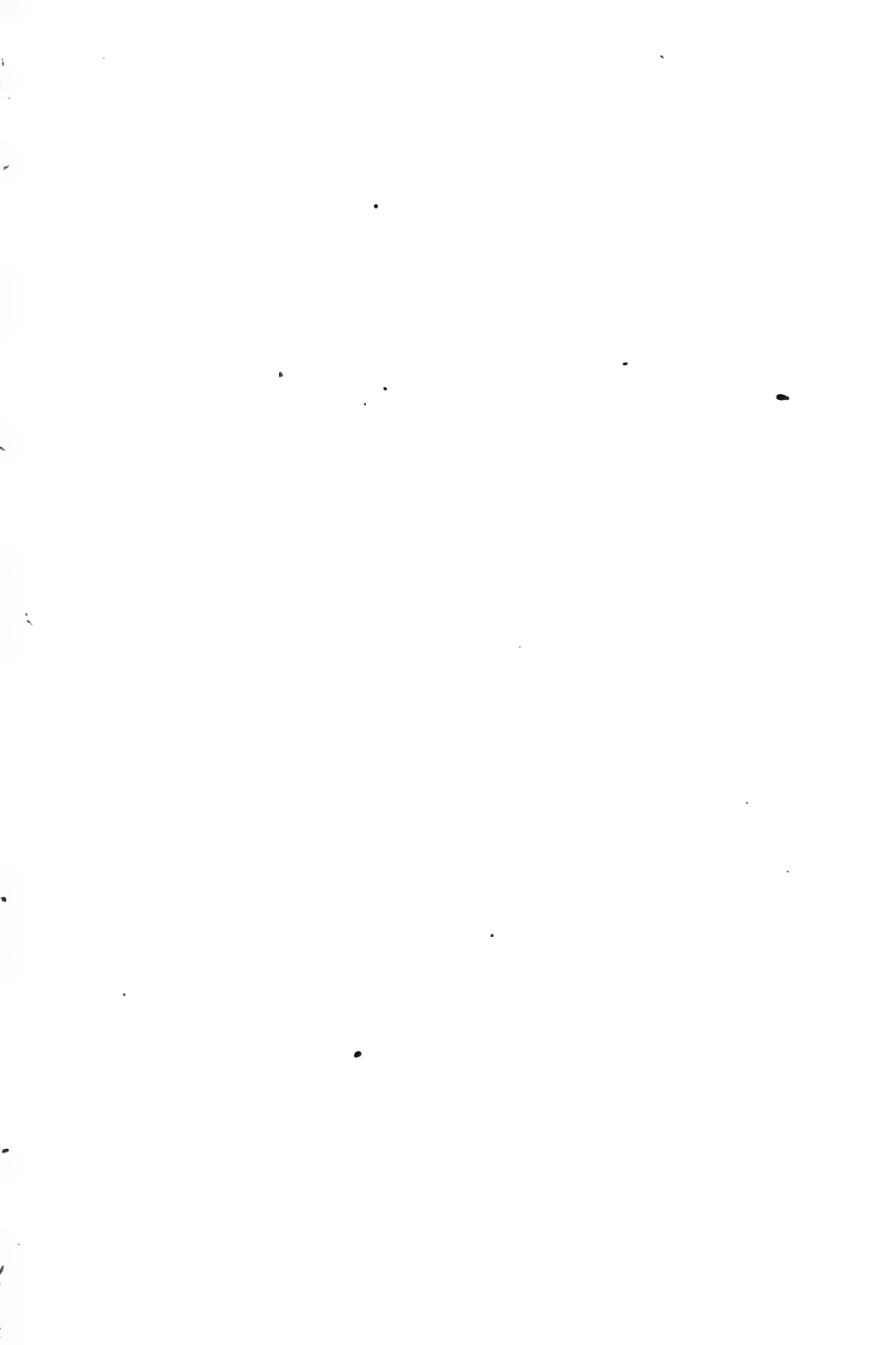
9 **WHEREAS**, the said five hundred and sixty-five dollars remains wholly unpaid, and the
10 same is lapsed into the State Treasury without his fault; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That the said sum of five hundred and sixty-five dollars be and the
3 same is hereby appropriated to the use and benefit of the said Hiram W. White, in payment
4 of the damages allowed to him in the above act, and the same shall be in full of all claim or
5 demand for damages against the State sustained by the said Hiram W. White, by reason of
6 the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts, of all such damages
2 by the said Hiram W. White, the Auditor of Public Accounts shall draw his warrant on the
3 State Treasurer for the said sum of five hundred and sixty-five dollars, in favor of the said
4 Hiram W. White, payable out of any funds in the State Treasury not otherwise appropri-
5 ated.

HOUSE AMENDMENTS TO SENATE BILL NO. 238.

Amend by inserting after the word "damages," in the third line of section
2 two, of written bill, the words "which have accrued, or may hereafter accrue."
3 Amend by inserting after the word "white," in the third line of the aforesaid
4 section and bill, the words "and the present owner or owners of all land for-
5 merly owned by said White, and damaged by the construction of the dam on
6 the Illinois river, near Henry."



1. Introduced by Mr. Snyder, February 19, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Judiciary, and on March 1 referred to Committee on Agriculture and Drainage.
3. Reported back March 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections eleven (11) and thirty-three (33) of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, and amended by an act approved May 24, 1881, and in force from and after its passage.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That sections eleven (11) and thirty-three (33) of an act en-
3 titled "An act to provide for the organization of drainage districts, and to
4 provide for the construction, maintenance and repair of drains and ditches
5 by special assessments on the property benefited thereby," approved May 29,
6 1879, in force July 1, 1879, and amended by an act approved May 24, 1881, and
7 in force from and after its passage, be amended to read as follows:

8 "Section 11. The commissioners shall then proceed to procure the right of
9 way for said work from the owners of the land upon which the same may
10 pass, so far as they can do so by agreement with said owners, which release
11 or releases of right of way shall be in writing and shall be a perpetual bar
12 to all claims for damages by the grantor or grantors, or their assigns, on ac-
13 count of the construction of such work; and if any part of such proposed
14 work is to be constructed in any public highway, the right of way may be
15 obtained from the highway commissioners the same as from private persons.

16 Such release or releases shall be filed in the town clerk's office, and he shall
17 cause the same to be recorded in the office of the recorder of deeds in and
18 for the county in which said lands are situated: *Provided*, that should the
19 commissioners be compelled to pay damages for the right of way in any
20 lands over which any work may run, by virtue of the finding of a jury called
21 to assess damages as hereinafter provided, that then, and in that case they
22 shall allow damages equitably to other owners of lands through which such
23 work may be located, notwithstanding such owners may have released such
24 right of way without adequate compensation.

25 "Section 33. The commissioners shall have power, and are hereby required
26 to make all necessary bridges and culverts in any public highway for the
27 protection of ditches made hereunder, the cost of which shall be paid for
28 out of the road and bridge tax. Whenever, in the construction of any drain
29 or ditch, it shall be necessary that the same shall be constructed across the
30 right of way of any railroad company, such portion of such drain or ditch
31 lying on such right of way shall be constructed by such railroad company.
32 And should any such railroad company refuse or neglect to construct such drain
33 or ditch for a period of thirty (30) days after notice given in writing by the
34 commissioners, then the commissioners shall be authorized to construct such
35 drain or ditch across such right of way, and may collect the necessary costs
36 thereof by suit against said company in any court of competent jurisdiction.
37 And if any public highway in any district is to be benefited by the con-
38 struction of any work, the highway commissioners shall pay a just propor-
39 tion of such benefits, such assessments being made in the same manner as
40 assessments for benefits in other cases, and the highway commissioners are
41 hereby authorized, and it is made their duty, to levy a tax for the payment
42 of any such assessment, in addition to the road and bridge tax, and at the
43 same time and in the same manner as is provided by law for the levy of the road
44 and bridge tax: *Provided*, that in all cases where the commissioners of the
45 drainage district are the highway commissioners, notice of the meeting to
46 confirm assessments shall be served upon the supervisor and town clerk of

47 the town wherein the highway is situated which is to be benefited, and such
48 supervisor and town clerk may appear and object to such assessment, and
49 appeal from the decision of the commissioners, and in all other things be
50 entitled to the same rights and benefits that private persons are given."

1. Reported to House May 14, 1883.

2. First reading June 12, 1883, and ordered to second reading.

A BILL

For An Act to amend sections eleven (11) and thirty-three (33) of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, and amended by an act approved May 24, 1881, and in force from and after its passage.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That sections eleven (11) and thirty-three (33) of an act en-
3 titled "An act to provide for the organization of drainage districts, and to
4 provide for the construction, maintenance and repair of drains and ditches
5 by special assessments on the property benefited thereby," approved May 29,
6 1879, in force July 1, 1879, and amended by an act approved May 24, 1881, and
7 in force from and after the passage, be amended, to read as follows:
8 "Section 11. The commissioners shall then proceed to procure the right of
9 way for said work from the owners of the land upon which the same may
10 pass, so far as they can do so by agreement with said owners, which release
11 or releases of right of way shall be in writing and shall be a perpetual bar
12 to all claims for damages by the grantor or grantors, or their assigns, on ac-
13 count of the construction of such work; and if any part of such proposed
14 work is to be constructed in any public highway, the right of way may be
15 obtained from the highway commissioners the same as from private persons.
16 Such release or releases shall be filed in the town clerk's office, and he shall
17 cause the same to be recorded in the office of the recorder of deeds in and

18 for the county in which said lands are situated: *Provided*, that should the
 19 commissioners be compelled to pay damages for the right of way in any
 20 lands over which any work may run, by virtue of the finding of a jury called
 21 to assess damages as hereinafter provided, that then, and in that case they
 22 shall allow damages equitably to other owners of lands through which such
 23 work may be located, notwithstanding such owners may have released such
 24 right of way without adequate compensation.

25 "Section 33. The commissioners shall have power, and are hereby required
 26 to make all necessary bridges and culverts in any public highway for the
 27 protection of ditches made hereunder, the cost of which shall be paid for
 28 out of the road and bridge tax. Whenever, in the construction of any drain
 29 or ditch, it shall be necessary that the same shall be constructed across the
 30 right of way of any railroad company, such portion of such drain or ditch
 31 lying on such right of way shall be constructed by such railroad company.
 32 And should any such railroad company refuse or neglect to construct such drain
 33 or ditch for a period of thirty (30) days after notice given in writing by the
 34 commissioners, then the commissioners shall be authorized to construct such
 35 drain or ditch across such right of way, and may collect the necessary costs
 36 thereof by suit against said company in any court of competent jurisdiction.
 37 And if any public highway in any district is to be benefited by the con-
 38 struction of any work, the highway commissioners shall pay a just propor-
 39 tion of such benefits, such assessments being made in the same manner as
 40 assessments for benefits in other cases, and the highway commissioners are
 41 hereby authorized, and it is made their duty, to levy a tax for the payment
 42 of any such assessment, in addition to the road and bridge tax, and at the
 43 same time and in the same manner as is provided by law for the levy of the road
 44 and bridge tax: *Provided*, that in all cases where the commissioners of the
 45 drainage district are the highway commissioners, notice of the meeting to
 46 confirm assessments shall be served upon the supervisor and town clerk of
 47 the town wherein the highway is situated which is to be benefited, and such
 48 supervisor and town clerk may appear and object to such assessment, and
 49 appeal from the decision of the commissioners, and in all other things be
 50 entitled to the same rights and benefits that private persons are given."

1. Introduced by Mr. Whiting, February 20, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back March 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to maintain and improve county ditches heretofore constructed to drain certain swamp and overflowed lands.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the ditches or drains heretofore made by any county, or by any county contracting with an incorporated company, to drain the swamp and overflowed lands donated to such county by the State, are hereby declared public ditches or drains, and may be preserved and improved by the several county boards in the county where these ditches lie, in the manner as provided in this act.

§ 2. The county board may designate what ditch or ditches shall be repaired or improved to secure the purposes for which it was constructed; and when any one or more have been so designated, the board shall appoint three suitable persons, to be styled district commissioners, neither of whom shall have any personal interest in the proposed work, and within ten days after being notified of their appointment, they shall meet at the office of the county clerk, file their acceptance and take the oath required of officers by the constitution.

§ 3. They shall proceed, soon as practicable, to form drainage districts, to include in each all such tracts, divisions and sub-divisions of land, being near or more remote from the line of the drain, but which, for a thorough system

4 of drainage, will be benefited in the way of securing an outlet by the pre-
 5 servation and improvement of the ditch or ditches which drain its surplus
 6 waters. Separate districts shall be formed where the ditches discharge inde-
 7 pendently; also on branches of the same water system, where the maintenance
 8 and improvement of its ditches are clearly independant of others; and sepa-
 9 rate districts may be formed on the upper level of a water system where its
 10 outlet will secure drainage independent of the ditches on the lower
 11 level.

§ 4. When the commissioners have laid out a district, they shall give it a
 2 name, subject to alteration by the county board, and proceed to classify the
 3 lands within the district on a graduated scale, according to the supposed
 4 benefits it will receive. The tracts adjudged to receive most and about
 5 equal benefits, shall each be marked one hundred (100) on the scale of benefits;
 6 and such as will be less benefitted, shall be marked some number less than
 7 one hundred, denoting its per cent. of benefits. This classification, when
 8 made and established, shall remain as a basis for taxation, so that each tract
 9 shall bear its just burdens in raising funds for maintaining and improving
 10 the ditches within such district.

§ 5. When this classification is completed, they shall publish for three
 2 weeks in some one or more newspapers in their county, a notice showing
 3 what tracts of land are included in the district, how classified on the scale
 4 of benefits, with owner's name if known; and they shall also post up at least
 5 ten notices containing the same items in or contiguous to the district, and
 6 these publications and notices shall state when and where the commissioners
 7 will meet to review their doings, and hear such objections as may be made
 8 by any aggrieved party.

§ 6. At this meeting, which may be adjourned if necessary, any person,
 2 his agent, or attorney, owning lands within the district may object and show
 3 cause:

4 1. That the district should not be formed on the ground of impractica-
 5 bility of drainage, or that the cost will be greater than the benefits.

6 2. To the boundaries of the district as including or excluding certain
 7 tracts of land improperly.

8 3. To the classification of lands on the scale of benefits, specifying such
9 as are too high or too low.

§ 7. If the commissioners find either count in the first paragraph established, they shall annul the district and so report to the county board, and all further proceedings shall end: *Provided*, the county board may, in their discretion, appoint other commissioners at some subsequent time. But if they find for the district, they shall consider the objections under the other heads of boundaries and classifications of lands; and they shall make such changes as shall seem to them just. They shall publicly announce their decision, and file their statement of the same within three days, with the county clerk.

§ 8. Any one person or persons owning lands within the district, as established, may, within ten days after the commissioners have reported to the county clerk, appeal from the decision of the commissioners, on any point objected to, at the time of review, by giving a bond, with security, to be approved by the county clerk, conditioned to pay all costs of the proceedings under the appeal, if the decision of the commissioners be in all things sustained. If more than one person appeals, they shall all join in the same appeal, though their objections may be on different matters.

§ 9. The appeal shall be addressed to the county clerk, stating the cause of the appeal. In counties under the township organization, the county clerk shall summon three supervisors, who shall not be owners of land in the proposed district, nor otherwise interested, to try the appeal. In counties not under township organization, the appeal board shall consist of the county judge, assessor and county clerk, who shall be duly notified by the county clerk; and he shall give at least three days' notice to one or more of the appellants when and where the appeal will be heard. If any of the last named board are excluded by reason of interest, it shall pass successively to the sheriff and coroner.

§ 10 The board of appeal shall have the same power and jurisdiction as the commissioners on the questions involved in the appeal. They may annul the district, change the boundaries, or alter the numbers placed on the scale

4 of benefits, if these or any of them were the subjects named in the appeal.
 5 They shall hear proofs and allegations, may themselves go upon the ground
 6 and investigate, and when they shall have concluded they shall file their
 7 decision with the clerk of the county. If it be to annul the district, no further
 8 proceedings shall be had, except it be again instituted by the county board.
 9 If the district be not annulled, and the proceedings of the commissioners be
 10 reversed or approved, wholly or in part, they shall so report to the county
 11 clerk, and their decision on the matters submitted shall be final and con-
 12 clusive.

§ 11. After the district shall have been fully established, by reason of no
 2 appeal from the decision of the commissioners, or by the action of the Board
 3 of Appeal, the commissioners shall cause to be made a map of the district
 4 showing each tract of land included, with the figures showing the classifica-
 5 tion on the scale of benefits, and the owner's name, if known, marked on each
 6 tract. A copy of this map shall be filed in the office of the county clerk, and
 7 in the office of each town clerk, whose town is wholly or in part included in
 8 the drainage district. They shall also cause to be recorded in the recorder's
 9 office an instrument of writing, setting forth all the material facts of the
 10 case, including a description of the tracts of land composing the district, the
 11 number on the scale of benefits, and the owners' names so far as known, be-
 12 longing to each tract. The commissioners shall also make a full and
 13 detailed report of the case to the county board, who shall spread the same
 14 upon their records.

§ 12. Whenever one or more drainage districts have been established, as
 2 herein provided, the county board shall appoint some suitable person drain-
 3 age commissioner, who shall have such charge, perform such duties, and
 4 execute such lawful orders as the board may from time to time devolve upon
 5 him; and he shall hold his office two years unless sooner removed by the
 6 board, in which case the board shall appoint his successor.

§ 13. The county board shall be the corporate authority of the several
 2 drainage districts of their respective counties organized under this act, and
 3 may, in its discretion, levy special assessments to procure funds for the use

4 of such districts, but no levy for any one year shall exceed a sum which will
5 produce a tax of more than one dollar on each acre of the several tracts marked
6 one hundred on the scale of benefits, and such other proportional amount less
7 than one dollar an acre on the several tracts as graduated on that scale.

§ 14. The tax shall be computed for each tract according to its acreage
2 and classification on the scale of benefits, and the tax shall be set down in a
3 separate column on the tax books against each tract composing a part of the
4 district to be taxed, and the money shall be collected by the collector of taxes
5 in like manner of other taxes, and, if not paid, it shall be treated as other
6 delinquent taxes, and remain a lien upon the land until paid. The money
7 when collected shall be paid into the county treasury and kept as a separate
8 fund for the use of its proper district, to be drawn upon by order of the
9 county board.

§ 15. The county board, by itself or through such agencies as it may in-
2 stitute, may contract with other counties, or with the corporate authorities
3 of other drainage district, organized under this act, or under other laws of
4 this State, to connect ditches, or act otherwise, in concert or jointly, where
5 a combined system of drainage shall be found to be necessary or expedient.

§ 16. The purpose of this act is to secure ample and permanent main chan-
2 nels of drainage for their respective districts, so that all owners of land
3 within the district shall have the facilities of thorough drainage of their
4 lands, and therefore each shall have free connection with the public ditches
5 for that purpose, and, by consent of parties, drain over the land of others to
6 reach the outlet; and where more perfect drainage is desired than is provided
7 for by this act, owners of land in any part of a district may organize under
8 other drainage laws as freely and completely as though not included in a
9 county district, and such district or sub-district, shall have free use of the
10 public or county ditches for outlets to their drains.

1. Reported to House April 6, 1883.
2. First reading April 7, 1883, and referred to Committee on Drainage.
3. Reported back, passage recommended, report concurred in, and ordered to second reading April 20, 1883.

A BILL

For An Act to maintain and improve county ditches heretofore constructed to drain certain swamp and overflowed lands.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That the ditches or drains heretofore made by any
3 county, or by any county contracting with an incorporated company, to
4 drain the swamp and overflowed lands donated to such county by the State,
5 are hereby declared public ditches or drains, and may be preserved and
6 improved by the several county boards in the counties where these ditches
7 lie, in the manner as provided in this act.

§ 2. The county board may designate what ditch or ditches shall be
2 repaired or improved to secure the purposes for which it was constructed;
3 and when any one or more have been so designated, the board shall appoint
4 three suitable persons, to be styled district commissioners, neither of whom
5 shall have any personal interest in the proposed work, and within ten days
6 after being notified of their appointment, they shall meet at the office of
7 the county clerk, file their acceptance and take the oath required of officers
8 by the constitution.

§ 3. They shall proceed, soon as practicable, to form drainage districts, to
2 include in each all such tracts, divisions and sub-divisions of land, being near
3 or more remote from the line of the drain, but which, for a thorough system
4 of drainage, will be benefited in the way of securing an outlet by the
5 preservation and improvement of the ditch or ditches which drain its surplus

6 waters. Separate districts shall be formed where the ditches discharge inde-
 7 pendently; also on branches of the same water system, where the maintenance
 8 and improvement of its ditches are clearly independent of others; and
 9 separate districts may be formed on the upper level of a water system where
 10 its outlet will secure drainage independent of the ditches on the lower level.

§ 4. When the commissioners have laid out a district, they shall give it a
 2 name, subject to alteration by the county board, and proceed to classify the
 3 lands within the district on a graduated scale, according to the supposed
 4 benefits it will receive. The tracts adjudged to receive most and about
 5 equal benefits, shall each be marked one hundred (100) on the scale of
 6 benefits; and such as will be less benefited, shall be marked some number
 7 less than one hundred, denoting its per cent. of benefits. This classification,
 8 when made and established, shall remain as a basis for taxation, so that
 9 each tract shall bear its just burdens in raising funds for maintaing and
 10 improving the ditches within such district.

§ 5. When this classification is completed, they shall publish for three
 2 weeks in some one or more newspapers in their county, a notice showing
 3 what tracts of land are included in the district, how classified on the scale
 4 of benefits, with owner's name if known; and they shall also post up at least
 5 ten notices containing the same items in or contiguous to the district, and
 6 these publications and notices shall state when and where the commissioners
 7 will meet to review their doings, and hear such objections as may be made
 8 by any aggrieved party.

§ 6. At this meeting, which may be adjourned if necessary, any person,
 2 his agent, or attorney, owning lands within the district may object and
 3 show cause:

4 1. That the district should not be formed on the ground of impractica-
 5 bility of drainage, or that the cost will be greater than the benefits.

6 2. To the boundaries of the district as including or excluding certain
 7 tracts of land improperly.

8 3. To the classification of lands on the scale of benefits, specifying such
 9 as are too high or too low.

§ 7. If the commissioners find either count in the first paragraph established, they shall annul the district and so report to the county board, and all further proceedings shall end: *Provided*, the county board may, in their discretion, appoint other commissioners at some subsequent time. But if they find for the district, they shall consider the objections under the other heads of boundaries and classifications of lands; and they shall make such changes as shall seem to them just. They shall publicly announce their decision, and file their statement of the same within three days, with the county clerk.

§ 8. Any person or persons owning lands within the district, as established, may, within five days after the commissioners have reported to the county clerk, appeal from the decision of the commissioners, on any point objected to, at the time of review, by giving a bond, with security, to be approved by the county clerk, conditioned to pay all costs of the proceedings under the appeal, if the decision of the commissioners be in all things sustained. If more than one person appeals, they shall all join in the same appeal, though their objections may be on different matters.

§ 9. The appeal shall be addressed to the county clerk, stating the cause of the appeal. In counties under the township organization, the county clerk shall summon three supervisors, who shall not be owners of land in the proposed district, nor otherwise interested, to try the appeal. In counties not under township organization, the appeal board shall consist of the county judge, assessor and county clerk, who shall be duly notified by the county clerk; and he shall give at least three days' notice to one or more of the appellants when and where the appeal will be heard. If any of the last named board are excluded by reason of interest, it shall pass successively to the sheriff and coroner.

§ 10. The board of appeal shall have the same power and jurisdiction as the commissioners on the questions involved in the appeal. They may annul the district, change the boundaries, or alter the numbers placed on the scale of benefits, if these or any of them were the subjects named in the appeal. They shall hear proofs and allegations, may themselves go upon the ground and investigate, and when they shall have concluded they shall file their

7 decision with the clerk of the county. If it be to annul the district, no
8 further proceedings shall be had, except it be again instituted by the county
9 board. If the district be not annulled, and the proceedings of the commissioners
10 be reversed or approved, wholly or in part, they shall so report to the county
11 clerk, and their decision on the matters submitted shall be final and
12 conclusive.

§ 11. After the district shall have been fully established, by reason of no
2 appeal from the decision of the commissioners, or by the action of the board
3 of appeal, the commissioner shall cause to be made a map of the district
4 showing each tract of land included, with the figures showing the classification
5 on the scale of benefits, and the owner's name, if known, marked on each
6 tract. A copy of this map shall be filed in the office of the county clerk, and
7 in the office of each town clerk, whose town is wholly or in part included in
8 the drainage district. They shall also cause to be recorded in the recorder's
9 office an instrument of writing setting forth all the material facts of the
10 case, including a description of the tracts of land composing the district, the
11 number on the scale of benefits, and the owners' names so far as known
12 belonging to each tract. The commissioners shall also make a full and
13 detailed report of the case to the county board, who shall spread the same
14 upon their records.

§ 12. Whenever one or more drainage districts have been established, as
2 herein provided, the county board shall appoint some suitable person drainage
3 commissioner, who shall have such charge, perform such duties, and execute
4 such lawful orders as the board may, from time to time, devolve upon him;
5 and he shall hold his office two years unless sooner removed by the board,
6 in which case the board shall appoint his successor.

§ 13. The county board shall be the corporate authority of the several
2 drainage districts of their respective counties organized under this act, and
3 may, in its discretion, levy special assessments to procure funds for the use
4 of such districts, but no levy for any one year shall exceed a sum which will
5 produce a tax of more than one dollar on each acre of the several tracts
6 marked one hundred on the scale of benefits, and such other proportional

7 amount less than one dollar an acre on the several tracts as graduated on
8 that scale.

§ 14. The tax shall be computed for each tract according to its acreage
2 and classification on the scale of benefits, and the tax shall be set down in a
3 separate column on the tax books against each tract composing a part of the
4 district to be taxed, and the money shall be collected by the collector of taxes
5 in like manner of other taxes, and, if not paid, it shall be treated as other
6 delinquent taxes, and remain a lien upon the land until paid. The money
7 when collected shall be paid into the county treasury, and kept as a separate
8 fund for the use of its proper district, to be drawn upon by order of the
9 county board.

§ 15. The county board, by itself or through such agencies as it may
2 institute, may contract with other counties, or with the corporate authorities
3 of other drainage districts, organized under this act, or under other laws of
4 this State, to connect ditches, or act otherwise, in concert or jointly, where a
5 combined system of drainage shall be found to be necessary or expedient.

§ 16. The purpose of this act is to secure ample and permanent main
2 channels of drainage for their respective districts, so that all owners of land
3 within the district shall have the facilities of thorough drainage of their
4 lands, and therefore each shall have free connection with the public ditches
5 for that purpose, and, by consent of parties, drain over the land of others to
6 reach the outlet; and where more perfect drainage is desired than is provided
7 for by this act, owners of land in any part of a district may organize under
8 other drainage laws as freely and completely as though not included in a
9 county district, and such district or sub-district, shall have free use of the
10 public or county ditches for outlets to their drains.

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1. Introduced by Mr. Hunt, February 20, 1883, and ordered to first reading.
 2. First reading February 23, 1883, and referred to Committee on Corporations.
 3. Reported back April 13, 1883, with amendments, passage recommended, and ordered to second reading.
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AMENDMENT PROPOSED TO SENATE BILL 246, BY COMMITTEE ON CORPORATIONS.

Amend by striking out the last eight lines of the bill.

A BILL

For An Act to amend section seven (7) of an act entitled "An act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven (7) of an act entitled "An act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

"Section 7. It shall be the duty of all persons employed in transmitting messages by telegraph to transmit them in the order in which they are received, and any person who shall fail to so transmit a message, or who shall suppress, or who shall make known the contents of a message to any person other than the one to whom it is addressed, or his agent, shall be deemed guilty of a misdemeanor, and be punished by fine not exceeding \$1,000. Any telegraph company which shall neglect to deliver any message transmitted over any portion of its line, and received at any of its offices, to the person to whom such message is directed, within a reasonable time after the receipt thereof, shall be liable to any person injured by such negligence for all damage occasioned thereby. If the amount of any judgment recovered for such neglect exceeds \$300, the

14 plaintiff shall also recover an attorney's fee of fifteen dollars, to be taxed as part of the costs of
15 said proceeding. If the judgment does not exceed \$200, the plaintiff shall recover an attorney's
16 fee of five dollars, to be taxed in like manner."

1. Introduced by Mr. Hunt February 20, 1883, and ordered to first reading.
 2. First reading February 23, 1883, and referred to Committee on Corporations.
 3. Reported back April 13, 1883, with amendments, passage recommended, and ordered to second reading.
 4. Second reading May 1, 1883, committee amendments not adopted and ordered to third reading.
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A BILL

For An Act to amend section seven (7) of an act, entitled "An act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seven (7) of an act, entitled "An act to
3 revise the law in relation to telegraph companies," approved March 24, 1874,
4 in force July 1, 1874, be and the same is hereby amended, so as to read as
5 follows:

6 "Section 7. It shall be the duty of all persons employed in transmitting
7 messages by telegraph, to transmit them in the order in which they are
8 received, and any person who shall fail to so transmit a message, or who
9 shall suppress, or who shall make known the contents of a message to any
10 person other than the one to whom it is addressed, or his agent, shall be
11 deemed guilty of a misdemeanor, and be punished by fine not exceeding
12 \$1,000. Any telegraph company which shall neglect to deliver any message
13 transmitted over any portion of its line, and received at any of its offices,
14 to the person to whom such message is directed, within a reasonable time
15 after the receipt thereof, shall be liable to any person injured by such neg-
16 ligence for all damages occasioned thereby. If the amount of any judgment

17 recovered for such neglect exceeds \$200, the plaintiff shall also recover an
18 attorney's fee of fifteen dollars, to be taxed as part of the costs of said pro-
19 ceeding. If the judgment does not exceed \$200, the plaintiff shall recover an
20 attorney's fee of five dollars to be taxed in like manner."

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1. Introduced by Mr. Laning, February 21, 1883, and ordered to first reading.
 2. First reading February 23, 1883, and referred to Committee on Judicial Department.
 3. Reported back March 28, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to repeal an act entitled "An act concerning voluntary assignments and conferring jurisdiction therein upon county courts."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That an act entitled "An act concerning voluntary
3 assignments and conferring jurisdiction therein upon county courts,"
4 approved May 22, 1877, and in force July 1, 1877, be and the same is hereby
5 repealed.

1. Introduced by Mr. Needles, February 21, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Judiciary.
3. Reported back March 2, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to require cities, villages and towns in this State to enter into bonds with securities like individuals, in appealing cases in the courts of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter cities, villages and towns in this State, in appealing cases, wherever an appeal is allowed under the laws of this State, shall file an appeal bond with securities, the same as individuals are now required to do by law.

§ 2. Whereas, there is now no law requiring such securities to be given, and many appeals are taken simply to harrass and delay litigants, and to put them to much useless expense without adequate relief, therefore an emergency is declared to exist, and this act shall be in force from and after its passage.

1. Introduced by Mr. Bell, February 22, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to the levy and collection of taxes for sewerage and water-works in the cities of this State, that may have established a system of sewerage and water-works for such city, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the legislative authority of any city, which now has or may hereafter have established a system of sewerage for such city, shall have power, annually, to levy and collect a tax upon the taxable real and personal estate of such city, not to exceed one mill on a dollar, for the extension and laying of sewers therein, and the maintenance of such sewers, which tax shall be known as "The Sewerage Fund Tax," and shall be levied and collected in the same manner that other general taxes of any such city are levied and collected: *Provided, however*, that the board of public works of such city, if any, or the head of the sewer department of such city, shall first certify to such legislative authority the amount that will be necessary for such purpose: *Provided, further*, that a two-thirds majority of all the members-elect of the legislative authority of such city, may levy a tax for such purposes, not to exceed 3 mills on each dollar of the taxable property of such city.

§ 2. The legislative authority of any city, which now has or which may hereafter have established water-works, for the supply of water to the in-

3 habitants thereof, shall have power to annually levy and collect a tax upon
 4 the taxable real and personal estate of any such city, not to exceed one mill
 5 on the dollar, for the extension of water mains or pipes therein, and the
 6 maintenance of such water-works, which tax shall be known as the "Water
 7 Fund Tax," and shall be levied and collected in the same manner that other
 8 general taxes of any such city are levied and collected: *Provided*, that the
 9 board of public works of such city, if any, or the head of the water depart-
 10 ment of such city, shall first certify to such legislative authority the amount
 11 that will be necessary for such purposes, and shall first certify to such legis-
 12 lative authority the amount that will be necessary for such purposes, and
 13 shall further certify that the revenue or income from such water-works will
 14 be insufficient therefor: *Provided, further*, that two-thirds majority of all the
 15 members-elect of the legislative authority of such city may levy a tax for
 16 such purposes, not to exceed three mills on each dollar of the taxable property
 17 of such city.

§ 3. An act entitled "An act in relation to the levy and collection of
 2 taxes for sewerage and water-works in the cities of this State, that may
 3 have established a system of sewerage and water-works for such city," ap-
 4 proved and in force April 22, 1871, is hereby repealed.

§ 4. Whereas, on account of the unprecedented floods of the past few
 2 weeks, great damage has been rendered to the sewerage and water-works of
 3 cities in this State, demonstrating the necessity of a greater outlay of money
 4 in those directions than is now provided for by law, therefore an emergency
 5 exists, and this act shall be in force from and after its passage.

**AMENDMENT TO SENATE BILL NO. 252, OFFERED BY THE COMMIT-
 TEE ON MUNICIPALITIES.**

Amend by adding to section two (2), the following:

2 "*Provided, also*, that nothing in this act shall be so construed as to increase
 3 the amount of aggregate taxes that may be levied in any one year by any

4 city or village, as provided in section one (1), of article VIII, of an act en-
5 titled 'An act to provide for the incorporation of cities and villages,' ap-
6 proved April 10, 1872."

1. Introduced by Mr. Bell, February 23, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 10, 1883, amended and ordered to third reading.

A BILL

For An Act in relation to the levy and collection of taxes for sewerage and water-works in the cities of this State that may have established a system of sewerage and water-works for such city, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the legislative authority of any city, which now has or may hereafter have established a system of sewerage for such city, shall have power, annually, to levy and collect a tax upon the taxable real and personal estate of such city, not to exceed one mill on a dollar, for the extension and laying of sewers therein, and the maintenance of such sewers, which tax shall be known as "The Sewerage Fund Tax," and shall be levied and collected in the same manner that other general taxes of any such city are levied and collected: *Provided, however,* that the board of public works of such city, if any, or the head of the sewer department of such city, shall first certify to such legislative authority the amount that will be necessary for such purpose: *Provided, further,* that a two-thirds majority of all the members-elect of the legislative authority of such city may levy a tax for such purposes, not to exceed 3 mills on each dollar of the taxable property of such city.

§ 2. The legislative authority of any city, which now has or which may

2 hereafter have established water-works for the supply of water to the in-
habitants thereof, shall have power to annually levy and collect a tax upon
4 the taxable real and personal estate of any such city, not to exceed one mill
15 on the dollar, for the extension of water mains or pipes therein, and the
6 maintenance of such water-works, or to the creation of a sinking fund to be
7 applied to the establishment of water-works, which tax shall be known as
8 the "Water Fund Tax," and shall be levied and collected in the same man-
9 ner that other general taxes of any such city are levied and collected: *Pro-*
10 *vided*, that the board of public works of such city, if any, or the head o
11 the water department of such city, shall first certify to such legislative
12 authority the amount that will be necessary for such purposes, and shall
13 further certify that the revenue or income from such water-works will be
14 insufficient therefor: *Provided, further*, that two-thirds majority of all the
15 members elect of the legislative authority of such city may levy a tax for
16 such purposes, not to exceed three mills on each dollar of the taxable prop-
17 erty of such city: *Provided, also*, that nothing in this act shall be so con-
18 strued as to increase the amount of aggregate taxes that may be levied in
19 any one year by any city or village, as provided in section one (1), of article
20 VIII, of an act entitled "An act to provide for the incorporation of cities
21 and villages," approved April 10, 1872.

§ 3. An act entitled "An act in relation to the levy and collection of
2 taxes for sewerage and water-works in the cities of this State that may
3 have established a system of sewerage and water-works for such city," as
4 proved and in force April 22, 1871, is hereby repealed.

§ 4. Whereas, on account of the unprecedented floods of the past few
2 weeks, great damage has been rendered to the sewerage and water-works
3 cities in this State, demonstrating the necessity of a greater outlay of money
4 in those directions than is now provided for by law, therefore an emergency
5 exists, and this act shall be in force from and after its passage.

1. Introduced by Mr. Bell, February 22, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, with amendments, passage recommended and ordered to second reading.
4. Second reading April 10, 1883, amended and ordered to third reading.
5. Reconsidered May 4, 1883, ordered to second reading, amended and ordered to third reading.

A BILL

For An Act in relation to the levy and collection of taxes for sewerage and water works in cities of this State, that may have established a system of sewerage and water works for such city, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the legislative authority of any city, which now
3 has or may hereafter have established a system of sewerage for such city
4 shall have power, annually, to levy and collect a tax upon the taxable real
5 and personal estate of such city, not to exceed one mill on a dollar, for the
6 extension and laying of sewers therein, and the maintenance of such sewers,
7 which tax shall be known as "The Sewerage Fund Tax," and shall be levied
8 and collected in the same manner that other general taxes of any such city
9 are levied and collected: *Provided, however,* that the board of public works
10 of such city, if any, or the head of the sewer department of such city, shall
11 first certify to such legislative authority the amount that will be necessary
12 for such purpose: *Provided, further,* that a two-thirds majority of all the
13 members elect of the legislative authority of such city, may levy a tax for
14 such purposes, not to exceed three mills on each dollar of the taxable prop-
15 erty of such city.

§ 2. The legislative authority of any city, which now has or which may hereafter have established or hired water works, for the supply of water to the inhabitants thereof, shall have power to annually levy and collect a tax upon the taxable real and personal estate of any such city, not to exceed one mill on the dollar, for the extension of water mains or pipes therein, and the maintenance of such water works, or to the creation of a sinking fund to be applied to the establishment of water works, which tax shall be known as the "Water Fund Tax," and shall be levied and collected in the same manner that other general taxes of any such city are levied and collected: *Provided*, that the board of public works of such city, if any, or the head of the water department of such city, shall first certify to such legislative authority the amount that will be necessary for such purposes, and shall further certify that the revenue or income from such water works will be insufficient therefor: *Provided, further*, that two-thirds majority of all the members elect of the legislative authority of such city may levy a tax for such purposes, not to exceed three mills on each dollar of the taxable property of such city, and the further sum of three mills on each dollar of taxable property of such city for lighting purposes: *Provided, also*, that nothing in this act shall be so construed as to increase the amount of aggregate taxes that may be levied in any one year by any city or village as provided in section one (1), of article VIII of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

§ 3. An act entitled "An act in relation to the levy and collection of taxes for sewerage and water works in the cities of this State, that may have established a system of sewerage and water works for such city," approved and in force April 22, 1871, is hereby repealed.

§ 4. WHEREAS, on account of the unprecedented floods of the past few weeks, great damage has been rendered to the sewerage and water works of cities in this State, demonstrating the necessity of a greater outlay of money in those directions than is now provided for by law, therefore an emergency exists, and this act shall be in force from and after its passage.

1. Introduced by Mr. Bell, February 22, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, with amendments, passage recommended and ordered to second reading.
4. Second reading April 10, 1883, amended, and ordered to third reading.
5. Reconsidered May 4, 1883, ordered to second reading, amended and ordered to third reading.
6. Reconsidered May 9, 1883, amended and ordered to third reading.

A BILL

For An Act in relation to the levy and collection of taxes for sewerage and water-works in cities of this State, that may have established a system of sewerage and water-works for such city, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the legislative authority of any city, which now
3 has or may hereafter have established a system of sewerage for such city
4 shall have power, annually, to levy and collect a tax upon the taxable real
5 and personal estate of such city, not to exceed one mill on a dollar, for the
6 extension and laying of sewers therein, and the maintenance of such sewers,
7 which tax shall be known as "The Sewerage Fund Tax," and shall be levied
8 and collected in the same manner that other general taxes of any such city
9 are levied and collected: *Provided, however,* that the board of public works
10 of such city, if any or the head of the sewer department of such city shall
11 first certify to such legislative authority the amount that will be necessary for
12 such purpose: *Provided, further,* that a two-thirds majority of all the mem-
13 bers elect of the legislative authority of such city, may levy a tax for such
14 purposes, not to exceed three mills on each dollar of the taxable property of
15 such city.

§ 2. The legislative authority of any city, which now has or which may hereafter have established or hired water-works, for the supply of water to the inhabitants thereof, shall have power to annually levy and collect a tax upon the taxable real and personal estate of any such city, not to exceed one mill on the dollar, for the extension of water mains or pipes therein, and the maintenance of such water-works, or to the creation of a sinking fund to be applied to the establishment of water-works, which tax shall be known as the "Water Fund Tax," and shall be levied and collected in the same manner that other general taxes of any such city are levied and collected: *Provided*, that the board of public works of such city, if any, or the head of the water department of such city, shall first certify to such legislative authority the amount that will be necessary for such purposes, and shall further certify that the revenue or income from such water-work will be insufficient therefor: *Provided, further*, that two-thirds majority of all the members elect of the legislative authority of such city may levy a tax for such purposes, not to exceed three mills on each dollar of the taxable property of such city, and the further sum of three mills on each dollar of taxable property of such city for lighting purposes: *Provided, also*, that nothing in this act shall be so construed as to increase the amount of aggregate taxes that may be levied in any one year by any city or village, as provided in section one (1), of article VIII of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

§ 3 An act entitled "An act in relation to the levy and collection of taxes for sewerage and water-works in the cities of this State, that may have established a system of sewerage and water-works for such city," approved and in force April 22, 1871, is hereby repealed.

HOUSE AMENDMENTS TO SENATE BILL NO 252.

Amend the title of the bill, by adding thereto the following words; "and to authorize the cities, villages and incorporated towns of this State to levy and collect taxes to pay for water and light."

Amend section 2, by inserting after the word "city," in the fourth line of said section, the words: "whether organized under a special charter or the general law."

Amend section 2, by striking out after the word "city," in the 17th line of said (printed bill) section 2, the words: "and the further sum of three (8) mills on each dollar of taxable property of such city, for lighting purposes," and insert in lieu thereof the following words: "*And, provided, further, that* the legislative authority of each of the cities, villages and incorporated towns in this State, with the concurrence of two-thirds of the members thereof shall be authorized to levy and collect annually, upon the taxable property within its limits, in addition to all other taxes now authorized by law, a tax of not exceeding three mills on the dollar of such taxable property, to be used exclusively for the purpose of lighting streets, and a further tax of not exceeding two mills on the dollar of such taxable property, to be used exclusively for the purpose of supplying water to such city, village or incorporated town."

Amend by adding to line 21, in section 2, the words and figures as follows: "As amended by an act approved May 28, 1879, in force July 1, 1879."

Also, amend, "*Provided, that* nothing in this act contained shall be construed to authorize the assessment of over 2 per cent. per annum on the assessed value of the taxable property in any city, town or village in this State, for all corporate purposes."

1. Introduced by Committee on Judicial Department, February 22, 1883, and ordered to first reading.
2. First Reading February 22, 1883, and ordered to a second reading.

A BILL

For An Act to amend sections twenty, twenty-six, fifty-eight and sixty-seven of an act entitled "An act to extend the jurisdiction of county courts and to regulate the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That sections twenty, twenty-six, fifty-eight and sixty-
3 seven of an act entitled "An act to extend the jurisdiction of county courts
4 and to regulate the practice thereof, to fix the time for holding the same,
5 and to repeal an act therein named," approved March 26, 1874, in force July
6 1, 1874, be and the same is hereby amended so as to read as follows:
7 "Section 20. Clark, in January, June, and October.
8 "Section 26. Cumberland, in November and May.
9 "Section 58. LaSalle, on the first Monday of January, first Monday of
10 March, second Monday of May, first Monday of September, and first Monday
11 of November.
12 "Section 67. Macoupin, in April and December.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

§ 3. Whereas, the proper administration of justice requires that this act
2 shall take effect as soon as possible, therefore an emergency exists, and this
3 act shall take effect and be in force from and after its passage.

-
1. Introduced by Judicial Department, February 22, 1883, and ordered to first reading.
 2. First reading February 22, 1883, and ordered to a second reading.
 3. Second reading March 14, 1883, amended and ordered to third reading.
-

A BILL

For An Act to amend sections twenty, twenty-six, forty-seven, fifty-eight, sixty-seven, seventy and eighty-seven, of an act entitled "An act to extend the jurisdiction of county courts, and to regulate the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That sections twenty, twenty-six, forty seven, fifty-eight, sixty-seven, seventy and eighty-seven, of an act entitled "An act to extend the jurisdiction of county courts and to regulate the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be, and the same is hereby amended so as to read as follows:

"Section 20. Clark, in January, June and October.

"Section 26. Cumberland, in November and May.

"Section 47. Jackson, in February. May and November.

"Section 58. LaSalle, on the first Monday of January, first Monday of March, second Monday of May, first Monday of September, and first Monday of November.

"Section 67. Macoupin, in April and December.

"Section 70. Marshall, on the third Mondays in April, August and November.

"Section 87. Randolph, in May and December."

§ 2. Whereas the proper administration of justice requires that this act shall take effect as soon as possible, therefore an emergency exists, and this act shall take effect and be in force from and after its passage.



1. Reported to House April 21, 1883.
2. First reading April 30, 1883, and referred to Committee on Judicial Department.
3. Reported back with amendments, passage recommended, report concurred in and ordered to second reading May 4, 1883.

AMENDMENTS ADOPTED BY THE COMMITTEE ON JUDICIAL DEPARTMENT TO SENATE BILL NO. 254.

1. Amend the title of the bill by inserting after the word "twenty-six," the word "forty-four."
2. Amend by inserting after the word "May," in the last line of the first page of the written bill, the words "section 44, Henderson, in February and 5 October."

A BILL

For An Act to amend sections twenty, twenty-six, forty-seven, fifty-eight, sixty-seven, seventy, and eighty-seven of an act entitled "An act to extend the jurisdiction of county courts, and to regulate the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections twenty, twenty-six, forty-seven, fifty-eight, sixty-seven, seventy, and eighty-seven of an act entitled "An act to extend the jurisdiction of county courts, and to regulate the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved

2
6 March 26, 1874, in force July 1, 1874, be, and the same is hereby amended, s

7 as to read as follows:

8 "Section 20 Clark, in January, June, and October.

9 "Section 26. Cumberland, in November and May.

10 "Section 47. Jackson, in February, May and November.

11 "Section 58. La Salle, on the first Monday of January, first Monday o

12 March, second Monday of May, first Monday of September, and first Monday

13 of November.

14 "Section 67. Macoupin, in April and December.

15 "Section 70. Marshall, on the third Mondays in April, August and No

16 vember.

17 "Section 87. Randolph, in May and December."

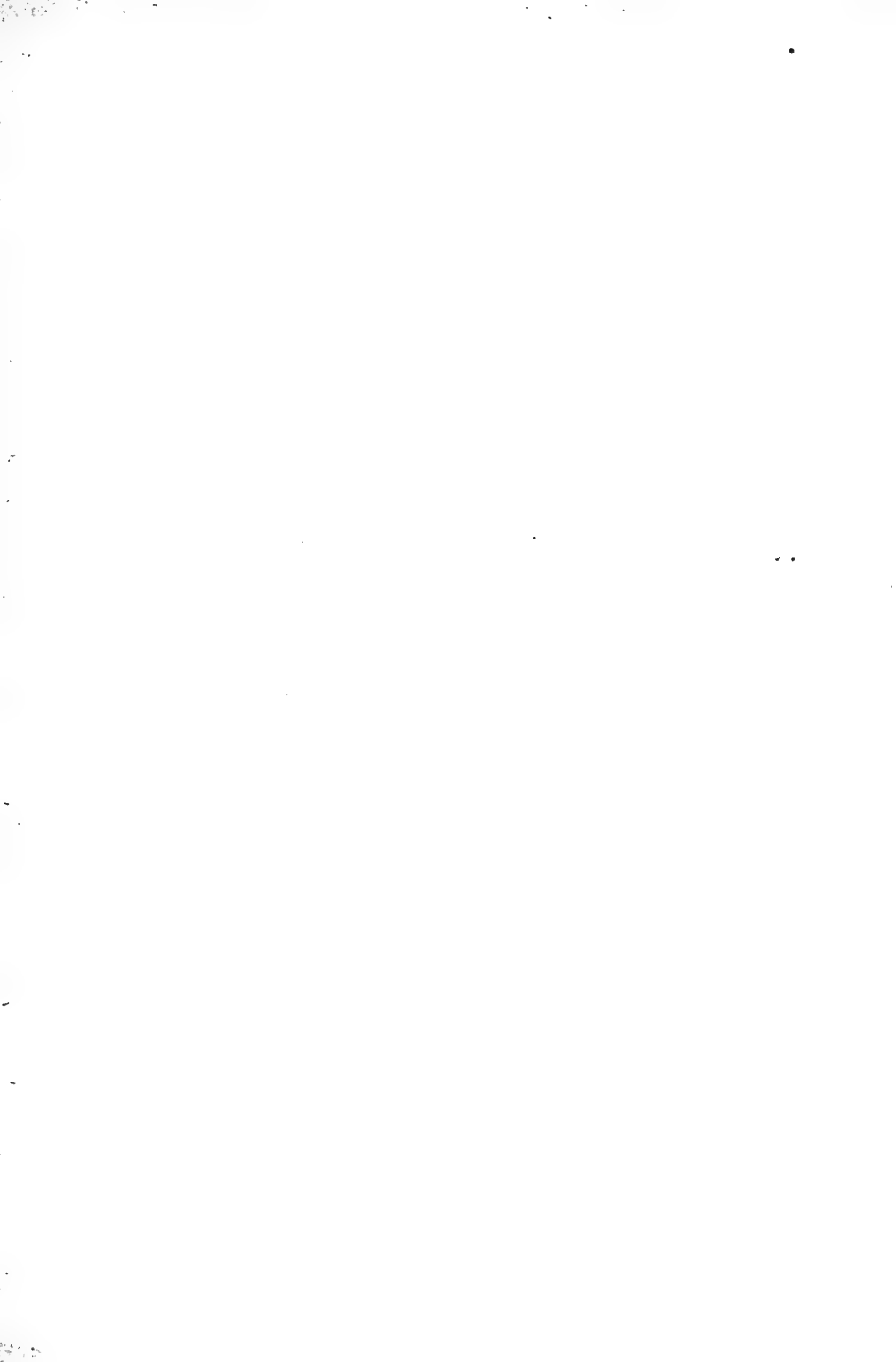
§ 2. Whereas, the proper administration of justice requires that this ad

2 shall take effect as soon as possible, therefore an emergency exists, and th

3 act shall take effect and be in force from and after its passage.

HOUSE AMENDMENTS TO SENATE BILL NO. 254.

1. Amend the title of the bill by inserting after the word "twenty-six," the
2 word "forty-four."
- 3 2. Amend by inserting after the word "May," in the last line of the first
4 page of the written bill, the words "section 44, Henderson, in February
5 and October."



(Substitute for Senate Bill No. 22.)

1. Introduced by Committee on Revenue, February 22, 1883, and ordered to first reading.
2. First reading February 22, 1883, and ordered to a second reading.

A BILL

For An Act to amend sections one and two of an act entitled "An act to revise and consolidate the several acts relating to the protection of game and for the protection of deer, wild fowl and birds," approved May 14, 1879, in force July 1, 1879.

Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections one and two of an act entitled "An act to revise and consolidate the several acts relating to the protection of game and for the protection of deer, wild fowl and birds," approved May 14, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

"Section 1. That it shall be unlawful for any person or persons to hunt or pursue, kill or trap, net or ensnare, or otherwise destroy any wild buck, doe or fawn, or wild turkey, between the fifteenth (15) day of January and the first (1) day of September, of each and every year; or any pinated grouse or prairie chicken, between the first (1) day of December and the first (1) day of September of the succeeding year; or any quail or ruffed grouse between the first (1) day of December and the first (1) day of October of each and every year; and it shall further be unlawful for any person, at any time, or at any place within this State, to shoot or kill for traffic any pinated grouse or prairie chicken, or any quail or ruffed grouse, or for any one person to shoot or kill during any one day more than twenty-five of either kind of said named birds; or for any one person, firm or corporation to have more than twenty-five of either kind of said named birds in his or

19 their possession at any one time, unless lawfully received for transportation,
 20 or to catch or take with any trap, snare or net, any of the birds named.
 21 And it shall further be unlawful to shoot, kill or destroy, or attempt to
 22 shoot, kill or destroy, any wild goose, duck, brant or other waterfowl,
 23 between the first (1) day of May and the fifteenth (15) day of August of
 24 each and every year. And it shall also be unlawful to shoot, kill or destroy,
 25 or attempt to shoot, kill or destroy any wild goose, duck, brant or other
 26 wild fowl during the night time at any season of the year; or any wood-
 27 cock between the first (1) day of January and the fourth (4) day of July in
 28 each and every year. And any person so offending shall, for each and
 29 every offense, be deemed guilty of a misdemeanor, and on conviction shall
 30 be fined in any sum not less than five dollars nor more than twenty-five
 31 dollars and costs of suit, and shall stand committed to the county jail until
 32 such fine is paid: *Provided*, that such imprisonment shall not exceed ten
 33 days, and the killing of each bird or animal shall be deemed a separate
 34 offense.

35 "Section 2. It shall be unlawful for any person, company or corporation
 36 to buy, sell or have in possession, or at any time ship, take or carry out of
 37 this State any of the animals, wild fowls or birds mentioned in section one
 38 of this act, at any time when the trapping, netting or ensnaring of such
 39 animals, wild fowls or birds shall be unlawful, which shall have been
 40 entrapped, netted or ensnared contrary to the provisions of this act, or if any
 41 railway, express company, or other common carrier, or any of their agents
 42 or servants, knowingly receive any of the above mentioned birds or animals
 43 for transportation or other purpose, during the periods limited or prohibited
 44 by this act, they or any person so offending shall, on conviction, be subject
 45 to the same fines and penalties, to be enforced and collected in the same
 46 manner as is provided by section one of this act: *Provided*, that it shall be
 47 lawful for any person to ship to any person [within this State any game
 48 birds named in said section one, not to exceed one dozen in number in any
 49 one day during the period when by this act the killing of such birds is not
 50 prohibited: *And, provided, further*, he shall first make an affidavit before

51 some person authorized to administer oaths, that said birds have not been
52 unlawfully killed, bought, sold or had in possession, are not being shipped
53 for sale or profit, giving the name and postoffice address of the person to
54 whom shipped and the number of birds to be so shipped. A copy of such
55 affidavit, endorsed "A true copy of the original," by the person administer-
56 ing the oath, shall be furnished by him to the affiant, who shall deliver the
57 same to the railroad agent or common carrier receiving such birds for
58 transportation; and the same shall operate as a release to such carrier or
59 agent from any liability in the shipment or carrying of such birds. The
60 original affidavit shall be retained by the officer taking the same, and may
61 be used as evidence in any prosecution for violation of this act. Any person
62 swearing falsely to any material fact of said affidavit, shall be guilty of
63 perjury and punished accordingly."

1. Introduced by Mr. Clough, February 23, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Railroads.
3. Reported back March 8, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the consolidation of certain railroad corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* Whenever any railroad which is situated partly in this State and partly in one or more other States, and heretofore owned by a corporation formed by consolidation of railroad corporations of this and other States, has been sold, pursuant to the decree of any court or courts of competent jurisdiction, and the same has been purchased as an entirety, and is now, or hereafter may be, held in the name or as the property of two or more corporations incorporated respectively under the laws of two or more of the States in which said railroad is situated, it shall be lawful for the corporation so created in this State to consolidate its property, franchises and capital stock with the property, franchises and capital stock of the corporation or corporations of such other State or States in which the remainder of such railroad is situated; and upon such terms as may be agreed upon between the directors, and approved by the stockholders owning not less than two-thirds in amount of the capital stock of such corporations. Such approval may be given by the stockholders of such corporation of this State at any time, in writing or by vote at any annual or special meeting, upon sixty days' notice, given by publication in any newspaper published in the county where the general office of such company is situated, and such meeting is to be held.

§ 2. Such consolidation shall take effect upon the filing and recording of such articles of consolidation in the office of the Secretary of State, of the State of Illinois, and a certified copy thereof in the office of the recorder of the various counties in which said railroad is situated. A certified copy of such articles of consolidation, under seal of the Secretary of State, shall be deemed and taken to be *prima facie* evidence of the existence of such consolidated corporation.

§ 3. Such consolidated corporation shall at all times keep a general office within this State, at which shall be kept a complete list of all stockholders of such corporation, their places of residence, the amount of stock owned by each, and where the stock of such corporation may be registered and transferred.

§ 4. The portion of such railroad which is, or may be, situated within this State, shall in all respects be subject to the laws of Illinois relating to railroad corporations of this State; and not less than three directors of such corporation shall be citizens and residents of this State.

§ 5. Whereas, an emergency exists, therefore this act shall be in effect from and after its passage.

1. Introduced by Mr. Clough, February 23, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Railroads.
3. Reported back March 8, 1883, passage recommended, and ordered to second reading.
4. April 13, second reading, amended, and ordered to a third reading.

A BILL

For An Act to provide for the consolidation of certain railroad corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: Whenever any railroad which is situated partly in this State and partly in one or more other States, and heretofore owned by a corporation formed by consolidation of railroad corporations of this and other States, has been sold, pursuant to the decree of any court or courts of competent jurisdiction, and the same has been purchased as an entirety, and is now, or hereafter may be, held in the name or as the property of two or more corporations incorporated respectively under the laws of two or more of the States in which said railroad is situated, it shall be lawful for the corporation so created in this State to consolidate its property, franchises and capital stock with the property, franchises and capital stock of the corporation or corporations of such other State or States in which the remainder of such railroad is situated; and upon such terms as may be agreed upon between the directors, and approved by the stockholders owning not less than two-thirds in amount of the capital stock of such corporations. Such approval may be given by the stockholders of such corporation of this State at any time, in writing or by vote, at any annual or special meeting, upon sixty days' notice, given by publication in any newspaper published in the county where the general office of such company is situated, and such meetings to be held.

§ 2. Such consolidation shall take effect upon the filing and recording of such articles of consolidation in the office of the Secretary of State of the State of Illinois, and a certified copy thereof in the office of the recorder of the various counties in which said railroad is situated. A certified copy of such articles of consolidation, under seal of the Secretary of State, shall be deemed and taken to be *prima facie* evidence of the existence of such consolidated corporation.

§ 3. Such consolidated corporation shall at all times keep a general office within this State,
2 at which shall be kept a complete list of all stockholders of such corporation, their places of
3 residence, the amount of stock owned by each, and where the stock of such corporation may be
4 registered and transferred.

1. Reported to House April 21, 1883.
2. First reading April 21, 1883, and referred to Committee on Railroads.
3. Reported back, passage recommended, report concurred in, and ordered to second reading April 27, 1883.

A BILL

For An Act to provide for the consolidation of certain railroad corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* Whenever any railroad which is situated partly in this
3 State, and partly in one or more other States, and heretofore owned by a cor-
4 poration formed by consolidation of railroad corporations of this and other
5 States, has been sold pursuant to the decree of any court or courts of competent
6 jurisdiction, and the same has been purchased as an entirety, and is now, or
7 hereafter may be, held in the name or as the property of two or more corpora-
8 tions incorporated respectively under the laws of two or more of the States in
9 which said railroad is situated, it shall be lawful for the corporation so
10 created in this State to consolidate its property, franchises and capital stock,
11 with the property, franchises and capital stock of the corporation or corpora-
12 tions of such other State or States in which the remainder of such railroad is
13 situated, and upon such terms as may be agreed upon between the directors,
14 and approved by the stockholders owning not less than two-thirds in amount
15 of the capital stock of such corporations. Such approval may be given by the
16 stockholders of such corporation of this State at any time, in writing or by
17 vote, at any annual or special meeting, upon sixty days' notice given by publi-
18 cation in any newspaper published in the county where the general office of
19 such company is situated, and such meeting is to be held.

§ 2. Such consolidation shall take effect upon the filing and recording of
2 such articles of consolidation in the office of the Secretary of State, of the

3 State of Illinois, and a certified copy thereof in the office of the recorder of
4 the various counties in which said railroad is situated. A certified copy of
5 such articles of consolidation, under seal of the Secretary of State, shall be
6 deemed and taken to be *prima facie* evidence of the existence of such con-
7 solidated corporation.

§ 3. Such consolidated corporation shall at all times keep a general office
2 within this State, at which shall be kept a complete list of all stockholders of
3 such corporation, their places of residence, the amount of stock owned by
4 each; and where the stock of such corporation may be registered and trans-
5 ferred.

HOUSE AMENDMENTS TO SENATE BILL NO 256.

1. Amend by adding to section one, the following: "*Provided*, that no
2 consolidation shall take place with any railroad owning a parallel or competing
3 line, and a majority of the directors of such consolidated company shall be citi-
4 zens and residents of this State, and where the line of the road of the original
5 company has been located in this State, and aid in the construction thereof voted
6 by any municipality by way of subscription or donation and received by the
7 company, and the road as so located not yet completed, then the consolidated
8 company shall have no power or right to change such line as so located so as to
9 make the same substantially different from the line so located at the time the
10 aid was voted."

11 Amend by adding: *Provided*, that nothing contained in this bill shall be
12 construed to impair or affect the rights of any party holding unsettled claims
13 against any of the corporations to be consolidated.

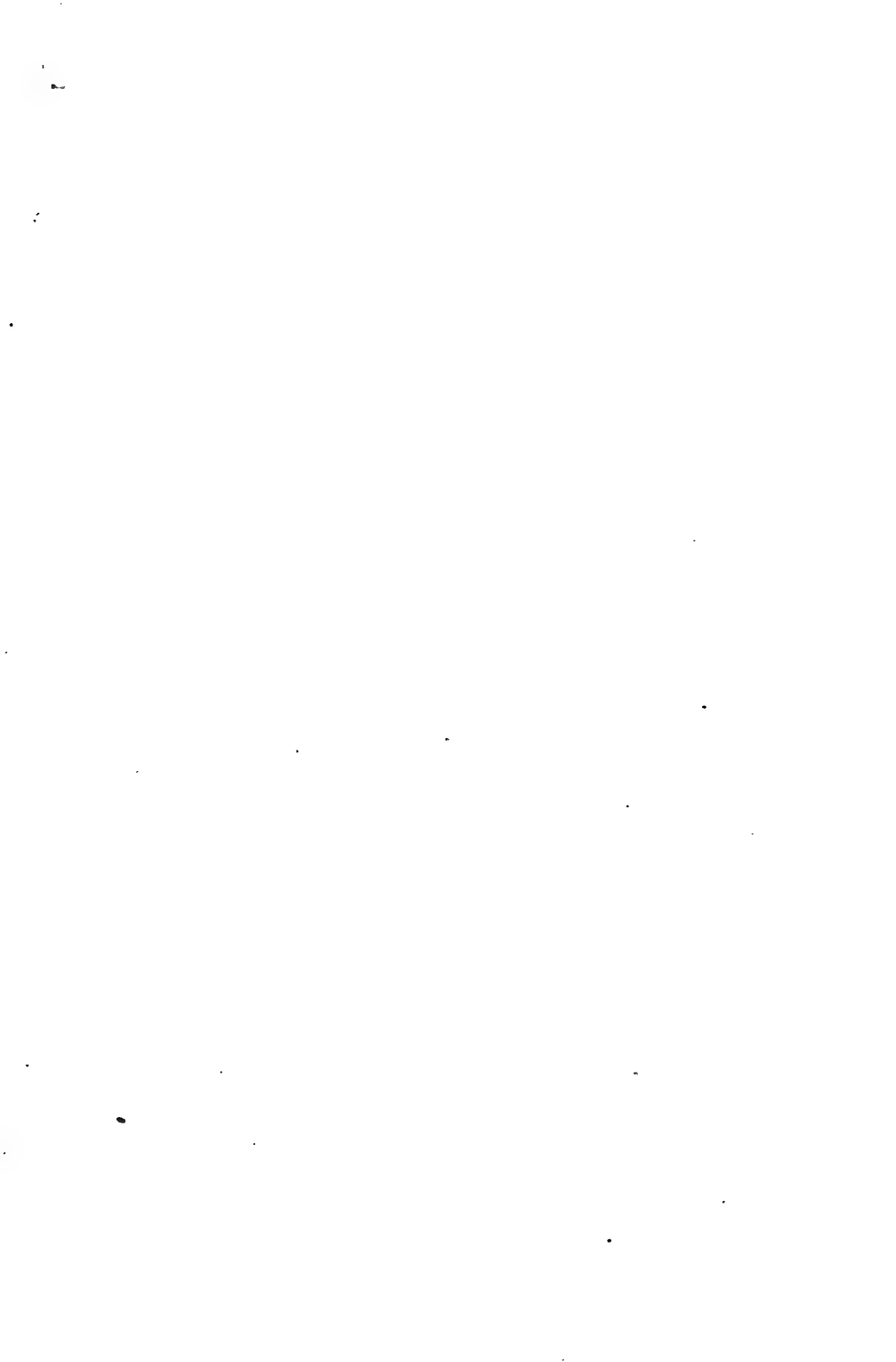


1. Introduced by Mr. Berggren, February 23, 1883, read first time, and referred to Committee on Expenses of the General Assembly.
2. Reported back with amendments, passage recommended, and ordered to second reading.
3. Second reading April 7, 1883, and ordered to third reading.

A BILL

For An Act to amend section eleven (11), of an act entitled "An act to provide for the election and appointment of the officers and employees of the General Assembly of the State, and to fix their compensation," approved May 28, 1877, and in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*
2 *in the General Assembly,* That section eleven (11), of an act entitled "An act to provide
3 for the election and appointment of the officers and employees of the General Assembly of
4 the State, and to fix their compensation," approved May 28, 1877, and in force July 1, 1877,
5 be, and the same is hereby amended, so as to read as follows:
6 "Section 11. No other officer or employee, not designated in this act, shall be employed by
7 either branch of the General Assembly, except by two-thirds vote, by yeas and nays, of the
8 members elected to that branch of the General Assembly desiring such additional officers or
9 employees."



1. Introduced by Mr. Berggren, February 23, 1883, and ordered to first reading.
2. First reading February 23, 1883, and referred to Committee on Expenses of the General Assembly.
3. Reported back March 8, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eleven (11), of an act entitled "An act to provide for the election and appointment of the officers and employees of the General Assembly of the State, and to fix their compensation," approved May 23, 1877, and in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section eleven (11), of an act entitled "An act to provide for the election and appointment of the officers and employees of the General Assembly of the State, and to fix their compensation," approved May 23, 1877, and in force July 1, 1877, be, and the same is hereby amended, so as to read as follows:

"Section 11. No other officer or employee, not designated in this act, shall be employed by either branch of the General Assembly, except by two-thirds vote, by yeas and nays, of the members elected to that branch of the General Assembly desiring such additional officers or employees."

-
1. Introduced by Mr. Morris, February 26, 1883, and ordered to first reading.
 2. First reading February 26, 1883, and referred to Committee on Judiciary.
 3. Reported back February 28, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to appropriate (\$5,000) five thousand dollars for the relief of the destitute inhabitants of the town of Rose Clare, who have been and are rendered destitute by the present floods in the Ohio river.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of (\$5,000) five thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the relief of the destitute inhabitants of the town of Rose Clare, in Hardin county, who have been rendered and who are now destitute in consequence of the present floods in the Ohio river. The Auditor of the State is hereby required to draw his warrant for said sum of money, payable to any person or persons who the Governor shall designate for that purpose.

§ 2. The money appropriated by this act shall be disbursed by and through a local committee of the town of Rose Clare, consisting of not less than three capable persons, to be appointed by the Governor of the State, and said committee shall, within one month after disbursing said sum of money, render to the Governor a detailed account of the disbursements, together with the names of persons to who relief may have been afforded under this act.

7 Whereas, an emergency exists by reason of the present suffering and
8 destitution of persons to be relieved under this act, therefore this act shall
9 be in force from and after its passage.

AMENDMENTS TO SENATE BILL NO. 261, PROPOSED BY THE COM-
MITTEE ON JUDICIARY.

1. Amend by adding to section 1, the following: "*Provided*, that no part
2 of the money hereby appropriated shall be used to compensate any person
3 for property destroyed or damaged by said floods."

2. Amend by striking out of section 1, all after the word "payable," in
5 the 17th line of said section, and insert in lieu thereof the words following:
6 "To W. S. Morris, of the Senate, and James M. Gregg, of the House of
7 Representatives, to be by them distributed as hereinbefore directed."

3. Amend by striking out the first seven lines of section 2, and substitute
9 therefor the following:

10 "The money appropriated by this act shall be disbursed by and through a
11 committee consisting of W. S. Morris, of the Senate, and James M. Gregg, of
12 the House of Representatives."

4. Amend by prefixing to the last paragraph of the bill the following:
14 "Section 3."

1. Introduced by Mr. Morris, February 26, 1883, and ordered to first reading.
2. First reading February 26, 1883, and referred to Committee on Judiciary.
3. Reported back February 27, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 2, 1883, amended and ordered to third reading.

A BILL

For An Act to appropriate (\$5,000) five thousand dollars for the relief of the destitute inhabitants of the town of Rose Clare, who have been and are rendered destitute by the present floods in the Ohio river.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of (\$5,000) five thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the relief of the destitute inhabitants of the town of Rose Clare, in Hardin connty, who have been rendered and who are now destitute in consequence of the present floods in the Ohio river. The Auditor of the State is hereby required to draw his warrant for said sum of money, payable to W. S. Morris, of the Senate, and James M. Gregg, of the House of Representatives, to be by them distributed as hereinbefore directed: *Provided*, that no part of the money hereby appropriated shall be used to compensate any person for property destroyed or damaged by said floods.

§ 2. The money appropriated by this act shall be disbursed by and through a committee, consisting of W. S. Morris, of the Senate, and James M. Gregg of the House of Representatives. Said committee shall, within one month after disbursing said sum of money, render to the Governor a detailed account of the disbursements, together with the names of persons to whom relief may have been afforded under this act.

§ 3. Whereas, an emergency exists by reason of the present suffering and
2 destitution of persons to be relieved under this act, therefore this act shall
3 be in force from and after its passage.

-
1. Reported to the House March 7, 1883.
 2. First reading March 7, 1883, and ordered a second reading.
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A BILL

For An Act to appropriate (\$5,000) five thousand dollars for the relief of the destitute inhabitants of the town of Rose Clare, who have been and are rendered destitute by the present floods in the Ohio river.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That the sum of (\$5,000) five thousand dollars be and the
3 same is hereby appropriated out of any money in the treasury not other-
4 wise appropriated, for the relief of the destitute inhabitants of the town of
5 Rose Clare, in Hardin county, who have been rendered and who are now
6 destitute in consequence of the present floods in the Ohio river. The
7 Auditor of State is hereby required to draw his warrant for said sum
8 of money, payable to W. S. Morris, of the Senate, and James M. Gregg, of
9 the House of Representatives, to be by them distributed as hereinbefore
10 directed: *Provided*, that no part of the money hereby appropriated shall be
11 used to compensate any person for property destroyed or damaged by said
12 floods.

§ 2. The money appropriated by this act shall be disbursed by and through
2 a committee, consisting of W. S. Morris, of the Senate, and James M. Gregg,
3 of the House of Representatives. Said committee shall, within one month
4 after disbursing said sum of money, render to the Governor a detailed ac-
5 count of the disbursements, together with the names of persons to whom re-
6 lief may have been afforded under this act.

§ 3. Whereas an emergency exists by reason of the present suffering and
2 destitution of persons to be relieved under this act, therefore this act shall
3 be in force from and after its passage.

1. Introduced by Mr. Fletcher, February 26, 1883, and ordered to first reading.
2. First reading February 26, 1883, and referred to Committee on Fees and Salaries.
3. Reported back March 1, 1883, passage recommended, and ordered to Second reading.

A BILL

For An Act to amend section forty-seven (47) of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by an act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

- 2 *General Assembly*, That section forty-seven (47) of an act entitled "An act
3 concerning fees and salaries and to classify the several counties of this
4 State with reference thereto," approved March 29, 1872, in force July 1, 1872;
5 title as amended by an act approved March 28, 1874, in force July 1, 1874,
6 be and the same is hereby amended so as to read as follows:
- 7 "Section 47. Every witness attending in his own county upon trials in
8 the court of record, shall be entitled to receive the sum of one dollar for
9 each day's attendance, and five cents per mile each way for necessary travel.
10 When such witness is summoned to testify in a criminal trial, the court
11 shall, if the witness is summoned on behalf of the accused, decide whether
12 he or she is a necessary witness or not, which decision shall be made a
13 matter of record, and when the accused shall be acquitted, or when con-
14 victed and an execution against him or her shall have been returned wholly
15 unsatisfied, the clerk of such court shall, if the witness was summoned on

16 behalf of the people, or decided to be a necessary witness for the defense,
17 issue an order on the county treasurer for the fees, which order shall be
18 paid by the county treasurer.

19 For attending in a foreign county, going and returning, accounting twenty
20 miles for each day's travel, per day, one dollar.

21 Every witness, when attending for the purpose of having his deposition
22 taken, one dollar per day: *Provided*, that no allowance or charges shall be
23 made for the attendance of witnesses aforesaid, unless the witness shall
24 make affidavit of the number of days he or she actually attended, and that
25 such attendance was at the instance of one or both of the parties or his
26 attorney.

27 In criminal cases, where a witness shall be required to attend from a
28 foreign county or State, he shall be allowed his necessary railroad fare and
29 fifty cents per day during each day's necessary travel in going to and return-
30 ing from the court, and one dollar per day for each day's necessary attend-
31 ance, to be paid out of the county treasury of the county where the crime
32 was committed, on the certificate of the clerk of the court: *Provided*, he
33 shall make affidavit of the number of day's necessarily spent in traveling,
34 and of the amount of necessary railroad fare, and that such attendance was
35 at the instance of the State's attorney or the accused, to which shall be
36 added the certificate of the judge of the court that the amount is reason-
37 able and that such witness was a necessary witness in the cause."

1. Introduced by Mr. Berggren, February 27, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to Committee on Fees and Salaries.
3. Reported back March 1, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eight (8) of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section eight (8) of an act entitled "An act con-
3 cerning fees and salaries, and to classify the several counties of this State
4 with reference thereto," approved March 29, 1872, in force July 1, 1872, title
5 as amended by act approved March 28, 1874, in force July 1, 1874, be and the
6 same is hereby amended so as to read as follows:

7 "Section 8. The State's Attorney's, in addition to the salaries provided for
8 in the preceeding section, shall be allowed the following fees:

9 On each conviction where the crime is punished by death or by confine-
10 ment in the penitentiary for life, fifty dollars; by confinement in the peni-
11 tentiary for any term less than for life, fifteen dollars; and five dollars each
12 on all other convictions.

13 Ten per cent. upon all moneys (except revenue) collected by them and paid
14 over to the State or any county, which sum, together with the —————
15 ————— trial fees that cannot be collected
16 from the parties convicted, shall be paid out of any fines and forfeited
17 recognizances collected by them.

18 In each case of forfeited recognizance, where the forfeiture is set aside at
19 the instance of the defendants, except where such forfeiture has been
20 erroneously or irregularly entered, in addition to the ordinary costs, the
21 sum of five dollars shall be collected as the State's Attorney's fees.

22 In cases of indictment for false imprisonment or willful and malicious
23 mischief, where the petit jury shall return with the verdict of "not guilty,"
24 that the prosecutor acted maliciously in the premises, the sum of three dol-
25 lars, to be taxed and collected as other costs.

26 The sum of five dollars upon each examination in the circuit court of a
27 party bound over to keep the peace, and the sum of ten dollars upon the
28 trial of any person under the provisions of the laws concerning bastardy."

1. Introduced by Mr. Fletcher, February 27, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to committee on Agriculture and Drainage.
3. Reported back March 9, passage recommended, and ordered to second reading.

A BILL

For An Act to revise the law in relation to the department of agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That the department of agriculture, for the promotion of
3 agriculture and horticulture, manufactures and the domestic arts, shall be
4 continued, and shall be managed by a board to be styled "The State Board
5 of Agriculture," to consist of a president and one vice president from each
6 Congressional District in the State, and of the last ex-president of the State
7 Board of Agriculture; said president and vice-presidents to be elected on the
8 fair grounds on Wednesday of the annual State fair in 1884, and every two
9 years thereafter on Wednesday of the week of the State fair, by delegates
10 or alternates, or their written proxies, chosen by the several agricultural
11 societies in counties where such societies exist, in the following manner, to-
12 wit: In counties having one agricultural society, such society may appoint
13 three delegates; in counties having two agricultural societies, each society
14 may appoint one delegate, who shall be entitled to one and one-half votes;
15 in counties having three agricultural societies, each society may appoint one
16 delegate, and if either the society shall neglect or refuse to appoint such
17 delegate, the delegate or delegates appointed shall be entitled to cast the

18 full vote of the county; and in counties where no agricultural society exists,
 19 the delegates may be appointed by the board of supervisors, or county
 20 board, as the case may be, each county to be entitled to three votes,
 21 and no more, and each union or district agricultural society shall be accredited
 22 to that county in which its fair grounds, or the greater part thereof, shall
 23 be located. The members of the State Board of Agriculture shall enter upon
 24 the duties of their office on the second Tuesday of January succeeding their
 25 election, and hold their office for two years, and until their successors are
 26 elected and enter upon their duties.

27 The State Board of Agriculture may fill any vacancy arising from any
 28 cause, by appointment from the district in which the vacancy occurs.

§ 2. The said State Board shall appoint some person, not a member of the
 2 board, secretary, and fix his compensation, who shall hold his office during
 3 the term for which the members of the board appointing him are elected,
 4 unless for good cause he shall sooner be removed by the board, and who
 5 shall perform such duties as usually pertain to the office of secretary, or as
 6 shall be required of him by the board.

§ 3. They shall also appoint some person, not a member of the board, as
 2 treasurer, and fix his compensation and prescribe his duties, who shall give
 3 bond in such sum and with such security as the board shall direct, con-
 4 ditioned for the faithful discharge of the duties of his office. He shall hold
 5 his office during the term for which the members of the board appointing
 6 him are elected, unless for good cause he shall be sooner removed by the
 7 board. He shall keep an accurate itemized account of all money received by
 8 him and paid out, and make an annual report thereof to the State Board
 9 and make full settlement with the board.

§ 4. The State Board of Agriculture shall keep an office for the transac-
 2 tion of business at Springfield, in the rooms assigned to the Department of
 3 Agriculture in the State House, to be under the control of said board.

§ 5. The State Board of Agriculture, in that name, may contract and be
 2 contracted with, may purchase, hold or sell property, may sue and be sued

3 in all courts or places; may hold State fairs and fat stock shows at such
4 times and places as the board may determine, but this State shall never be
5 liable for any debt or contract of said board.

§ 6. The State Board of Agriculture shall have the sole control of the affairs of
2 the Department of Agriculture, of all State fairs and fat stock shows, and may
3 make such by-laws, rules and regulations in relation to the Department of Agri-
4 culture and the management of the business of such department and State
5 fairs and fat stock shows, and offering of premiums, as a majority of said
6 board shall from time to time determine, not inconsistent with the constitu-
7 tion and laws of this State or of the United States.

§ 7. Whatever money shall be appropriated to the Department of Agri-
2 culture, shall be paid to the State Board of Agriculture, and may be expended
3 by them as in the opinion of said board will best advance the interests of
4 agriculture and horticulture, manufactures and domestic arts in this State:
5 *Provided*, when any appropriation is made for the benefit of county or other
6 agricultural societies, the same shall be equally divided between such agri-
7 cultural societies as shall have given satisfactory evidence to said State
8 Board of having held an annual fair and paid as premiums not less than
9 three hundred dollars (\$300), and made their annual report on or before the
10 15th day of November, to the State Board of Agriculture.

§ 8. The State Board of Agriculture shall, after their annual meeting in
2 January, in each year, make and deliver to the Governor a report of their
3 acts and doings, as required by law, and no other annual reports shall be
4 made by said board.

§ 9. Said State Board of Agriculture may append to and publish with
2 their said report, the annual report of the State Entomologist and such
3 other reports, or essays connected with agriculture, horticulture, manufac-
4 ture, or the domestic arts as in the judgment of said board the interests of
5 the State require. Said annual report and appended essays not to exceed
6 seven hundred printed pages.

§ 10. It shall be lawful for the State Board of Agriculture or other
2 agricultural society, at or before the time for holding its annual fair, to

8 select and appoint as many persons to act in the capacity of special police
4 as are by said society deemed requisite to insure peace and good order on
5 or about the grounds, or place of holding such fair, for and during the
6 holding of the same: *Provided*, that such person, before entering upon the
7 duties of special police, shall receive his authority from, and take the oath
8 of office by any judge or justice of the peace, or other officer authorized to
9 administer oaths, residing or holding his office in the town or municipal
10 corporation most contiguous to the fair ground, or place of holding such
11 fair, and shall receive from such judge or justice a certificate, under seal, of
12 his appointment and authority to act as such special police, which shall be
13 indicated by some appropriate badge of office, and when so authorized, he
14 shall be clothed with full police powers.

§ 11. Whoever trespasses upon any fair grounds, or commits any depre-
2 dations upon the property of any agricultural society, by cutting or de-
3 stroying any timber or trees, breaking or carrying away any box, trough,
4 stall, bench, fence, lock, door, gate, lumber or other appurtenance to any
5 fair ground, whether within or without the enclosure thereof, shall be fined
6 not less than five nor exceeding two hundred dollars, and shall be liable
7 civilly for all damages sustained by such wrongful act.

§ 12. Whoever shall keep any shop, booth, tent, wagon, vessel, boat, or
2 other place for the sale of spirituous liquors, or expose for sale, or sell, give
3 away, or otherwise dispose of any spirituous liquors, or engages in gaming
4 at or within two miles of the place where any agricultural, horticultural or
5 mechanical fair is being held, shall, for each offense, be fined not less than
6 five nor more than one hundred dollars: *Provided*, this section shall not effect
7 tavern-keepers, distillers or others exercising their calling at their usual place
8 of business.

§ 13. Any person violating the provisions of the preceding section may be
2 arrested upon view or upon warrant, by any sheriff, coroner, constable or
3 other officer authorized to make arrest; and such officer may also seize the
4 booth, tent, wagon, vessel or boat and articles to be sold, and convey the
5 same before a justice of the peace with the offender, and upon a judgment

6 being rendered against the offender, the same may be sold upon the execu-
7 tion issued upon such judgment; and if sufficient property is not found to
8 satisfy such fine, the offender may be committed to the county jail until
9 the fine and costs are paid, or the prisoner discharged, according to law.

§ 14. Wherever the word "fair" occurs in this act, it shall be held to mean
2 a *bona fide* exhibition of the four principal classes of live stock, together
3 with general agriculture and horticulture, products and mechanical arts.

§ 15. All acts, and parts of acts, inconsistent with the provisions of this
2 act, are hereby repealed.

1. Reported to House May 17, 1883.
2. First reading May 26, 1883, and ordered to second reading.

A BILL

For An Act to revise the law in relation to the department of agriculture, agricultural societies and agricultural fairs, and to provide for reports of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the department of agriculture, for the promotion of
3 agriculture and horticulture, manufactures and the domestic arts, shall be
4 continued, and shall be managed by a board to be styled "The State Board
5 of Agriculture," to consist of a president and one vice-president from each
6 Congressional District in the State, and of the last ex-president of the State
7 Board of Agriculture; said president and vice-presidents to be elected on the
8 fair grounds on Wednesday of the annual State fair in 1884, and every two
9 years thereafter on Wednesday of the week of the State fair, by delegates
10 or alternates, or their written proxies, chosen by the several agricultural
11 societies in counties where such societies exist, in the following manner, to
12 wit: In counties having one agricultural society, such society may appoint
13 three delegates; in counties having two agricultural societies, each society
14 may appoint one delegate, who shall be entitled to one and one-half votes;
15 in counties having three agricultural societies, each society may appoint one
16 delegate, and if either society shall neglect or refuse to appoint such dele-
17 gate, the delegate or delegates appointed shall be entitled to cast the full
18 vote of the county; and in counties where no agricultural society exists, the
19 delegates may be appointed by the board of supervisors, or county board, as
20 the case may be, each county to be entitled to three votes, and no more, and

21 each union or district agricultural society shall be accredited to that county
 22 in which its fair grounds, or the greater part thereof, shall be located. The
 23 members of the State Board of Agriculture shall enter upon the duties of
 24 their office on the second Tuesday of January succeeding their election, and
 25 hold their office for two years, and until their successors are elected and
 26 enter upon their duties.

27 The State Board of Agriculture may fill any vacancy arising from any
 28 cause, by appointment from the district in which the vacancy occurs.

§ 2. The said State Board shall appoint some person, not a member of the
 2 board, secretary, and fix his compensation, who shall hold his office during
 3 the term for which the members of the board appointing him are elected,
 4 unless for good cause he shall sooner be removed by the board, and who
 5 shall perform such duties as usually pertain to the office of secretary, or as
 6 shall be required of him by the board.

§ 3. They shall also appoint some person, not a member of the board, as
 2 treasurer, and fix his compensation and prescribe his duties, who shall give
 3 bond in such sum and with such security as the board shall direct, con-
 4 ditioned for the faithful discharge of the duties of his office. He shall hold
 5 his office during the term for which the members of the board appointing
 6 him are elected, unless for good cause he shall be sooner removed by the
 7 board. He shall keep an accurate itemized account of all money received by
 8 him and paid out, and make an annual report thereof to the State Board
 9 and make full settlement with the board.

§ 4. The State Board of Agriculture shall keep an office for the transac-
 2 tion of business at Springfield, in the rooms assigned to the Department of
 3 Agriculture in the State House, to be under the control of said board.

§ 5. The State Board of Agriculture, in that name, may contract and be
 2 contracted with, may purchase, hold or sell property, may sue and be sued
 3 in all courts or places; may hold State fairs and fat stock shows at such
 4 times and places as the board may determine, but this State shall never be
 5 liable for any debt or contract of said board.

§ 6. The State Board of Agriculture shall have the sole control of the

2 affairs of the Department of Agriculture, of all State fairs and fat stock
 3 shows, and may make such by-laws, rules and regulations in relation to the
 4 Department of Agriculture and the management of the business of such de-
 5 partment and State fairs and fat stock shows, and offering of premiums, as a
 6 majority of said board shall from time to time determine, not inconsistent
 7 with the constitution and laws of this State or of the United States.

§ 7. Whatever money shall be appropriated to the Department of Agri-
 2 culture, shall be paid to the State Board of Agriculture, and may be expended
 3 by them as in the opinion of said board will best advance the interests of
 4 agriculture and horticulture, manufactures and domestic arts in this State:
 5 *Provided*, when any appropriation is made for the benefit of county or other
 6 agricultural societies, the same shall be equally divided between such agri-
 7 cultural societies as shall have given satisfactory evidence to said State
 8 Board of having held an annual fair and paid as premiums not less than
 9 three hundred dollars (\$300), and made their annual report on or before the
 10 15th day of November, to the State Board of Agriculture.

§ 8. The State Board of Agriculture shall, after their annual meeting in
 2 January, in each year, make and deliver to the Governor a report of their
 3 acts and doings, as required by law, and no other annual report shall be
 4 made by said board.

§ 9. Said State Board of Agriculture may append to and publish with
 2 their said report, the annual report of the State Entomologist and such
 3 other reports, or essays connected with agriculture, horticulture, manufac-
 4 ture, or the domestic arts as in the judgment of said board the interests of
 5 the State require. Said annual report and appended essays not to exceed
 6 seven hundred printed pages.

§ 10. It shall be lawful for the State Board of Agriculture or other
 2 agricultural society, at or before the time for holding its annual fair, to
 3 select and appoint as many persons to act in the capacity of special police
 4 as are by said society deemed requisite to insure peace and good order, on
 5 or about the grounds, or place of holding such fair, for and during the
 6 holding of the same: *Provided*, That such person, before entering upon the

7 duties of special police, shall receive his authority from, and take the oath
 8 of office by any judge or justice of the peace, or other officer authorized to
 9 administer oaths, residing or holding his office in the town or municipal
 10 corporation most contiguous to the fair ground, or place of holding such
 11 fair, and shall receive from such judge or justice a certificate, under seal, of
 12 his appointment and authority to act as such special police, which shall be
 13 indicated by some appropriate badge of office, and when so authorized, he
 14 shall be clothed with full police powers.

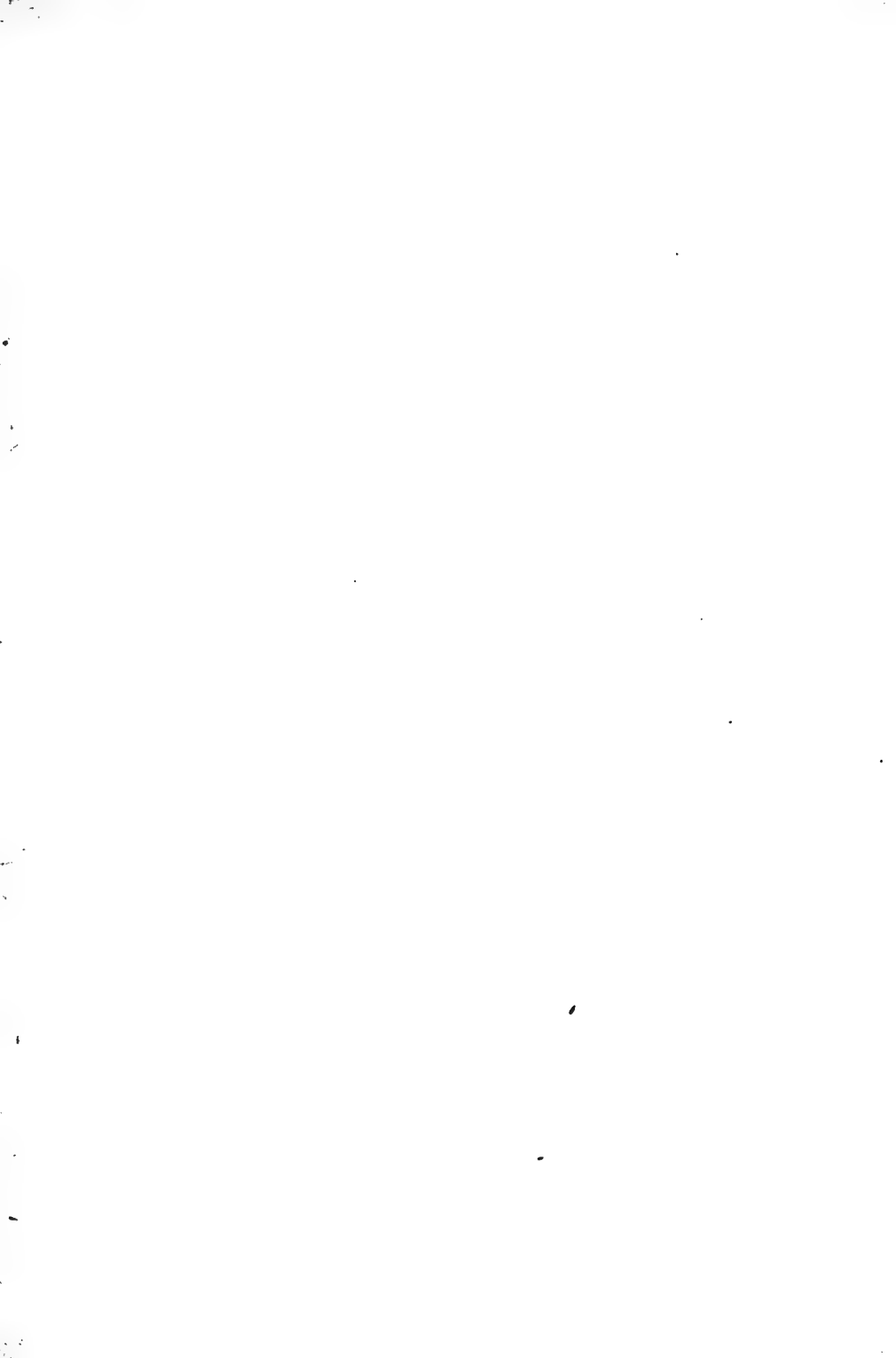
§ 11. Whoever trespasses upon any fair grounds, or commits any depredations upon the property of any agricultural society, by cutting or destroying any timber or trees, breaking or carrying away any box, trough, stall, bench, fence, lock, door, gate, lumber or other appurtenance to any fair ground, whether within or without the enclosure thereof, shall be fined not less than five nor exceeding two hundred dollars, and shall be liable civilly for all damages sustained by such wrongful act.

§ 12. Whoever shall keep any shop, booth, tent, wagon, vessel, boat or other place for the sale of spirituous liquors, or expose for sale, or sell, give away or otherwise dispose of any spirituous liquors or engages in gaming at or within two miles of the place where any agricultural, horticultural or mechanical fair is being held, shall, for each offense, be fined not less than five nor more than one hundred dollars: *Provided*, this section shall not effect tavern keepers, distillers or others exercising their calling at their usual place of business.

§ 13. Any person violating the provisions of the preceding section may be arrested upon view or upon warrant, by any sheriff, coroner, constable or other officer authorized to make arrest; and such officer may also seize the booth, tent, wagon, vessel or boat and articles to be sold, and convey the same before a justice of the peace with the offender, and upon a judgment being rendered against the offender, the same may be sold upon the execution issued upon such judgment; and if sufficient property is not found to satisfy such fine, the offender may be committed to the county jail until the fine and costs are paid, or the prisoner discharged, according to law.

§ 14. Wherever the word "fair" occurs in this act, it shall be held to mean
2 a *bona fide* exhibition of the four principal classes of live stock, together with
3 general agriculture and horticulture, products and mechanical arts.

§ 15. All acts, and parts of acts, inconsistent with the provisions of this act,
2 are hereby repealed.



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1. Introduced by Mr. Needles, February 27, 1883, and ordered to first reading.
 2. First reading February 28, 1883, and referred to Committee on Printing.
 3. Reported back March 6, 1883, passage recommended and ordered to second reading.
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A BILL

For An Act authorizing the publication of certain legal advertisements in German newspapers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That in any county, wherein there is published a news-
3 paper in the German language, which was established and issued before the
4 first day of January, 1883, and which has a bona fide circulation in the
5 county wherein it is published, the advertisement of sheriff's sales provided
6 for under the law shall also be published in such newspaper in the German
7 language, for the same time and in the same manner as now provided by
8 law concerning English publications, if the appraised value of the property
9 to be sold exceeds five hundred dollars, and if two or more such newspapers
10 are printed in such county, the publication may be in either, but the court
11 may, for good cause, dispense with such publication. But no error or mis-
12 take in translation, or in any publication authorized by this section, shall
13 delay proceedings or affect the title of property sold, and if any such error
14 or mistake occurs by the negligence of the publisher, he shall not be entitled
15 to compensation for the publication.

1. Introduced by Mr. Gillham, February 27, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to Committee on Appropriations.
3. Reported back March 15, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act making an Appropriation for the State Board of Agriculture, and the County and other Agricultural Societies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That there be, and is hereby appropriated to the State
3 Board of Agriculture the following sums, to wit: For the payment of
4 premiums at the annual State Fair and fat-stock show, the sum of five
5 thousand dollars per annum, for the years 1883 and 1884; and for the use of
6 each county or other agricultural society, the sum of one hundred dollars
7 per annum, to be paid to the treasurer of the society, for the years 1883 and
8 1884.

9 For the salary of the secretary, the sum of two thousand four hundred
10 dollars per annum, for the years 1883 and 1884.

11 For clerk hire, the sum of fifteen hundred dollars per annum, for the
12 years 1883 and 1884.

13 For curator, the sum of six hundred dollars per annum, for the years 1883
14 and 1884.

15 For porter, the sum of six hundred dollars per annum, for the years
16 1883 and 1884.

17 For the museum, the sum of three hundred dollars per annum, for the
18 years 1883 and 1884.

19 For the expense of collecting and publishing crop statistics, the sum of
20 twelve hundred dollars per annum, for the years 1883 and 1884.

21 For the purchase of books, maps and charts, and for binding periodi-
22 cals and papers, the sum of four hundred dollars per annum, for the years
23 1883 and 1884.

24 For repairs, postage, expressage and other incidental office expenses, the
25 sum of twelve hundred dollars per annum, for the years 1883 and 1884.

§ 2. That on the order of the president, countersigned by the Secretary
2 of the State Board of Agriculture, and approved by the Governor, the State
3 Auditor shall draw his warrant upon the treasurer, in favor of the treasurer
4 of the State Board of Agriculture, for the sums herein appropriated :
5 *Provided*, that each warrant shall show the agricultural society for
6 whose benefit the same is drawn, and that no warrant shall be drawn in
7 favor of any agricultural society unless the order aforesaid be accompanied
8 by a certificate of the State Board of Agriculture, showing that such
9 agricultural society held an agricultural fair during the preceding year, in
10 compliance with the rules and regulations, as provided by law : *Provided*,
11 *further*, that no part of the moneys herein provided for shall be drawn from
12 the public treasury prior to the first day of July, A. D. 1883.

§ 3. It shall be the duty of the treasurer of the State Board of Agricul-
2 ture to pay over to the proper officer of each agricultural society the sum
3 received for its use and benefit, as aforesaid, and make a biennial report to
4 the Governor of all such appropriations received and disbursed by him.

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1. Reported to House April 21, 1883.
 2. First reading April 30, 1883, and ordered to second reading.
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A BILL

For An Act making an Appropriation for the State Board of Agriculture, and the County and other Agricultural Societies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That there be, and is hereby appropriated to the State
3 Board of Agriculture the following sums, to wit: For the payment of
4 premiums at the annual State Fair and fat-stock show, the sum of five
5 thousand dollars per annum, for the years 1883 and 1884; and for the use of
6 each county or other agricultural society, the sum of one hundred dollars
7 per annum, to be paid to the treasurer of the society, for the years 1883 and
8 1884.

9 For the salary of the secretary, the sum of two thousand four hundred
10 dollars per annum, for the years 1883 and 1884.

11 For clerk hire, the sum of fifteen hundred dollars per annum, for the
12 years 1883 and 1884.

13 For curator, the sum of six hundred dollars per annum, for the years 1883
14 and 1884.

15 For porter, the sum of six hundred dollars per annum, for the years 1883
16 and 1884.

17 For the museum, the sum of three hundred dollars per annum, for the
18 years 1883 and 1884.

19 For the expense of collecting and publishing crop statistics, the sum of
20 twelve hundred dollars per annum, for the years 1883 and 1884.

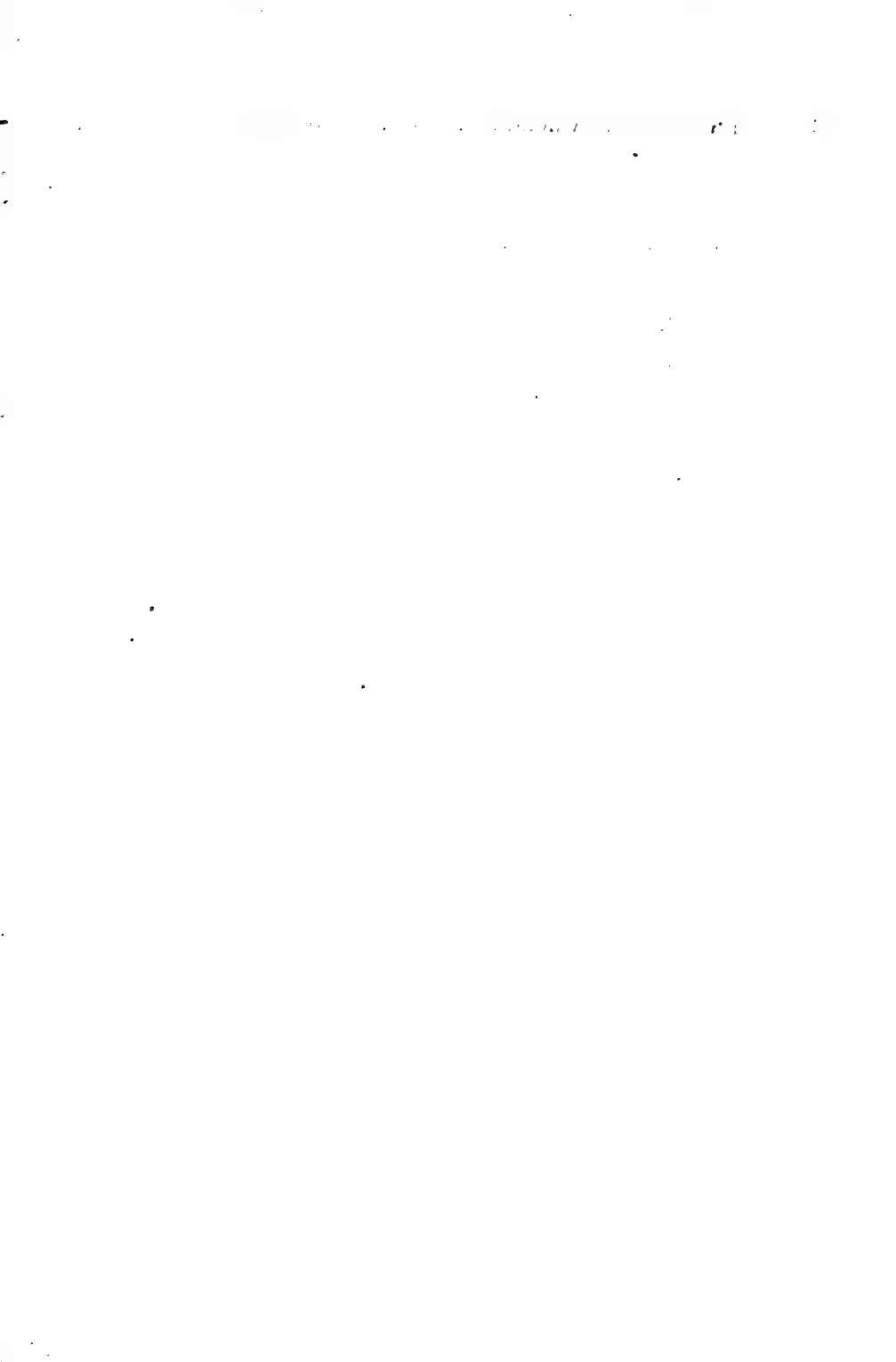
21 For the purchase of books, maps and charts, and for binding periodicals
22 and papers, the sum of four hundred dollars per annum, for the years 1883
23 and 1884.

24 For repairs, postage, expressage and other incidental office expenses, the
25 sum of twelve hundred dollars per annum, for the years 1883 and 1884.

§ 2. That on the order of the president, countersigned by the Secretary
2 of the State Board of Agriculture, and approved by the Governor, the State
3 Auditor shall draw his warrant upon the Treasurer, in favor of the treasurer
4 of the State Board of Agriculture, for the sums herein appropriated :
5 *Provided*, that each warrant shall show the agricultural society for whose
6 benefit the same is drawn, and that no warrant shall be drawn in favor of
7 any agricultural society unless the order aforesaid be accompanied by a
8 certificate of the State Board of Agriculture, showing that such agricultural
9 society held an agricultural fair during the preceding year, in compliance
10 with the rules and regulations, as provided by law : *Provided, further*, that
11 no part of the moneys herein provided for shall be drawn from the public
12 treasury prior to the first day of July, A. D. 1883.

§ 3. It shall be the duty of the treasurer of the State Board of Agricul-
2 ture to pay over to the proper officer of each agricultural society the sum
3 received for its use and benefit, as aforesaid, and make a biennial report to
4 the Governor of all such appropriations received and disbursed by him.

Amend, by adding to section 2: "*And provided*, that no warrant shall be
2 drawn in favor of any agricultural society, until the president and treasurer
3 of such society have filed an affidavit with the State Board of Agriculture
4 that no wheel of fortune or any other gambling device were licensed or
5 allowed upon their fair grounds."



1. Introduced by Mr. Hamilton, February 27, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to Committee on Municipalities.
3. Reported back March 14, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend article nine (9), of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

Be it enacted by the People of the State of Illinois, represented in the General

2 General Assembly: [SECTION 1.] That article nine (9), of an act entitled "An
3 act to provide for the incorporation of cities and villages," approved April
4 10, 1872, and in force July 1, 1872, be, and is hereby amended, by adding to
5 said article the following section, numbered 55:

6 "Section 55. Whenever the city council of any city, or the board of
7 trustees of any town or village, incorporated under said act, or adopting this
8 article, shall by ordinance provide for the making of any local improve-
9 ment, to be made in whole or in part by special assessment of property
10 specially benefited, or by special taxation of contiguous property, said
11 council or board of trustees, as the case may be, may in their discretion,
12 provide that the portion of the estimated cost of such improvement to be
13 raised by special assessment or special taxation, as aforesaid, shall be pay-
14 able in such annual installments, not exceeding five in number, as in such
15 ordinance may be prescribed. The first installment of the amount so assess-
16 ed upon property shall be payable immediately upon the issuance by the
17 clerk of any city, town or village, of his warrant to the collector for the
18 collection of the same, and the subsequent installments shall be payable an-

19 nually thereafter, with interest thereon until paid, at such rate as shall be
20 prescribed in such ordinance, not exceeding eight per cent. per annum; and
21 in such case the judgment of the court, in which proceedings may be had
22 for the assessing of such special assessment or special tax, shall be a con-
23 tinuing lien upon each lot, tract or parcel of land, so assessed, from the
24 date thereof until all the installments shall be paid."

§ 2. This act shall not be held to repeal, or modify in any way any of
the provisions of said article nine, of said act, to which it is amendment,
but as being supplementary or cumulative thereto.

-
1. Reported to House April 21, 1883.
 2. First reading April 30, 1883, and ordered to second reading!
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A BILL

For An Act to amend article nine 9), of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That article nine (9), of an act entitled "An act to provide
3 for the incorporation of cities and villages," approved April 10, 1872, and in
4 force July 1, 1872, be, and is hereby amended, by adding to said article the
5 following section, numbered 55:

6 "Section 55. Whenever the city council of any city, or the board of trustees
7 of any town or village, incorporated under said act, or adopting this article,
8 shall by ordinance provide for the making of any local improvement, to be
9 made in whole or in part by special assessment of property specially benefited,
10 or by special taxation of contiguous property, said council or board of trustees,
11 as the case may be, may in their discretion, provide that the portion of the
12 estimated cost of such improvement to be raised by special assessment or
13 special taxation, as aforesaid, shall be payable in such annual installments, not
14 exceeding five in number, as in such ordinance may be prescribed. The first
15 installment of the amount so assessed upon property shall be payable im-
16 mediately upon the issuance by the clerk of any city, town or village, of his
17 warrant to the collector for the collection of the same, and the subsequent
18 installments shall be payable annually thereafter, with interest thereon until
19 paid, at such rate as shall be prescribed in such ordinance, not exceeding eight
20 per cent. per annum; and in such case the judgment of the court, in which

21 proceedings may be had for the assessing of such special assessment or
22 special tax, shall be a continuing lien upon each lot, tract or parcel of land,
23 so assessed, from the date thereof until all the installments shall be paid."

§ 2. This act shall not be held to repeal, or modify in any way any of
2 the provisions of said article nine, of said act, to which it is an amendment,
3 but as being supplementary or cumulative thereto.

1. Introduced by the Committee on Appropriations, February 28, 1883, and ordered to first reading.
2. First reading February 28, 1883, and ordered to second reading.

A BILL

For An Act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That the following named sums be and are hereby appro-
3 priated to meet the ordinary and contingent expenses of the State govern-
4 ment until the expiration of the first fiscal quarter after the adjournment
5 of the next regular session of the General Assembly:

6 *First*—A sum not exceeding three thousand dollars (\$3,000) per annum
7 shall be subject to the order of the Governor for defraying all such public
8 expenses of the State government as are unforeseen by the General Assem-
9 bly, and not otherwise provided for by law, payment to be made from time
10 to time upon bills of particulars, certified to by the Governor.

11 *Second*—The sum of three thousand five hundred dollars (\$3,500) per
12 annum, for clerk hire in the Governor's office, payable quarterly, upon the
13 Governor's order.

14 *Third*—A sum not to exceed seven hundred and fifty dollars (\$750) per
15 annum, for postage, expressage, telegraphing and other incidental expenses
16 connected with the Governor's office, to be paid on bills of particulars, certi-
17 fied to by the Governor.

18 *Fourth*—To the Governor, for one porter, the sum of seven hundred dollars
19 (\$700) per annum, payable quarterly, upon the order of the Governor.

20 *Fifth*—To the Governor, for repairs and care of executive mansion and
 21 grounds, and for heating and lighting the executive mansion, three thousand
 22 dollars (\$3,000) per annum, to be paid on bills of particulars, certified to by
 23 the Governor.

24 *Sixth*—To the Governor, for new roof for the executive mansion and for
 25 repairing chimneys and fence, the sum of one thousand dollars (\$1,000), or
 26 so much thereof as may be necessary, to be paid upon bills of particulars,
 27 certified to by the Governor.

28 *Seventh*—To the Secretary of State, for clerk hire in his office, the sum of
 29 ten thousand five hundred dollars (\$10,500) per annum, payable quarterly,
 30 upon his order. To the Secretary of State, for repairs, postage, expressage,
 31 telegraphing and other incidental expenses of the office, a sum not exceed-
 32 ing three thousand dollars (\$3,000) per annum, payable upon bills of par-
 33 ticulars, certified by the Secretary of State and approved by the Governor.
 34 To the Secretary of State, for two porters and messengers, the sum of seven
 35 hundred dollars (\$700) each per annum, payable monthly, upon his order;
 36 also, for continuing the work of indexing, classifying and arranging the
 37 files and records of the office of the State department, the sum of three
 38 thousand dollars (\$3,000) per annum, payable upon his order and approved
 39 by the Governor. To the Secretary of State, for the payment of all neces-
 40 sary incidental expenses incurred by him in the care and custody of the
 41 State House and grounds and other State property, and in repairs and
 42 improvements of the same, and for the performance of such other duties as
 43 may be imposed upon him by law, and for which no other appropriation
 44 has been made, the sum of ten thousand dollars (\$10,000) per annum, pay-
 45 able upon bills of particulars, certified to by the Secretary of State and
 46 approved by the Governor.

47 *Eighth*—To the Auditor of Public Accounts, for clerk hire, the sum of
 48 seven thousand five hundred dollars (\$7,500) per annum, to be paid quarterly,
 49 upon his order. To the Auditor of Public Accounts, for two porters and
 50 messengers, the sum of seven hundred dollars each per annum, payable
 51 quarterly, upon his order. To the Auditor of Public Accounts, for repairs,

52 postage, express charges, telegraphing and other incidental expenses incurred
 53 in the discharge of his duties, a sum not exceeding one thousand five
 54 hundred dollars (\$1,500) per annum.

55 *Ninth*—To the Auditor of Public Accounts, for the arrangement and
 56 proper indexing of the field notes and plats of the United States surveys,
 57 recently received from the office of the late Custodian, the sum of five
 58 hundred dollars (\$500), payable upon his order.

59 *Tenth*—To the State Treasurer, for clerk hire, the sum of four thousand dol-
 60 lars (\$4,000) per annum, payable quarterly, upon his order. To the State Treas-
 61 urer, for repairs, express charges, postage, telegraphing and other necessary
 62 incidental expenses connected with his office, a sum not to exceed one thousand
 63 dollars (\$1,000) per annum, payable upon bills of particulars, certified to by
 64 him, and approved by the Governor. To the State Treasurer, the sum of
 65 three thousand two hundred dollars (\$3,200) per annum, for two night and
 66 two day watchmen, payable quarterly, upon his order. To the State Treas-
 67 urer, the sum of eight hundred dollars (\$800) per annum, for messenger
 68 and clerk, payable quarterly, upon his order.

69 *Eleventh*—To the Superintendent of Public Instruction, for clerk hire, the
 70 sum of two thousand four hundred dollars (\$2,400) per annum; and for a
 71 janitor, porter and messenger, who shall also perform the duties of clerk
 72 when not otherwise employed, the sum of, eight hundred dollars (\$800) per
 73 annum, payable quarterly, upon his order. To the Superintendent of Pub-
 74 lic Instruction, for repairs, periodicals, and educational works and other
 75 necessary expenses of said office, a sum not exceeding one thousand five
 76 hundred dollars (\$1,500) per annum, payable on bills of particulars, certified
 77 to by him and approved by the Governor. Appropriations made by this
 78 clause to be paid out of the State school fund.

79 *Twelfth*—To the Attorney General, for clerk hire, the sum of two
 80 thousand dollars (\$2,000) per annum, payable quarterly, upon his order, and
 81 for a porter and messenger, who shall also act as porter and messenger for
 82 the Supreme Court reporter, the sum of six hundred dollars (\$600) per annum,
 83 payable quarterly upon his order. To the Attorney General, for telegraph,

ing, postage and other necessary expenses incurred in the discharge of his duties, a sum not to exceed two thousand dollars (\$2,000) per annum, payable on bills of particulars, certified to by him and approved by the Governor.

Thirteenth—To the Adjutant-General, for clerks, ordnance sergeant and janitor to aid and assist him in the discharge of his duties, the sum of four thousand five hundred dollars (\$4,500) per annum, payable quarterly, upon his order. To the Adjutant-General, for telegraphing, postage, and other necessary office expenses, a sum not to exceed one thousand dollars (\$1,000) per annum: *Provided*, the amount appropriated under this clause shall be paid out of the military fund.

Fourteenth—To the Board of Public Charities, for salary of secretary, a sum not to exceed three thousand dollars (\$3,000) per annum; and for clerk hire and necessary incidental expenses of the board, a sum not to exceed five thousand dollars (\$5,000) per annum, payable quarterly, on bills of particulars, approved by the Governor.

Fifteenth—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs and expenses of State suits, to be paid upon bills of particulars, certified to by the Auditor and approved by the Governor.

Sixteenth—A sum not exceeding twenty-five thousand dollars (\$25,000) per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary, to be paid on the warden's certificate, at the compensation fixed by the general laws; the Auditor to compute the distance by the nearest railroad route.

Seventeenth—For the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, twenty thousand dollars (\$20,000), or so much thereof as may be necessary, payable out of the levy of 1882, and fifteen thousand dollars (\$15,000) payable out of the levy of 1883, to be paid on the evidence required by law, certified and approved by the Governor, and the sum of three thousand dollars (\$3,000) for rewards for arrests of fugitives from justice, to be paid upon bills of particulars, having the order of the Governor endorsed thereon.

116 *Eighteenth*—The sum of three thousand dollars (\$3,000) per annum, or so
 117 much thereof as may be needed, for conveying juvenile offenders to the
 118 Reform School, at Pontiac, payable on the superintendent's certificate of
 119 delivery, at the rate of compensation allowed by law; the Auditor to com-
 120 pure the distance by the nearest railroad route.

121 *Nineteenth*—For printing paper and stationery, for the use of the General
 122 Assembly and executive departments, purchased on contracts as required by
 123 law, payable on delivery thereof, on bills of particulars, certified to by the
 124 Board of Commissioners of State Contracts, and approved by the Governor,
 125 the sum of fifteen thousand dollars (\$15,000), or so much thereof as may be
 126 needed, payable out of the levy of 1882, and fifteen thousand dollars
 127 (\$15,000) payable out of the levy of 1883.

128 *Twentieth*—There is hereby appropriated to defray the incidental and
 129 contingent expenses of the Supreme Court, to-wit: For stationery, repairs,
 130 furniture, express, books, and other expenses deemed necessary by the
 131 court, the following sums: To the Northern Grand Division, the sum of
 132 two thousand five hundred dollars (\$2,500) per annum; to the Central Grand
 133 Division, the sum of two thousand dollars (\$2,000) per annum; to the
 134 Southern Grand Division, the sum of fifteen hundred dollars (\$1,500) per
 135 annum; the same to be payable upon bills of particulars, certified to by at
 136 least two of the justices of said court. There is also appropriated for the
 137 pay of the librarians of the several grand divisions of said court, who shall
 138 also act as librarians for the appellate courts, when in session in their
 139 respective grand divisions, the following sums: To the Northern and
 140 Southern Grand Divisions, each the sum of four hundred dollars (\$400) per
 141 annum; to the Central Grand Division, the sum of seven hundred and
 142 fifty dollars (\$750) per annum, payable quarterly, upon the certificate of at
 143 least two justices of said court. There is also appropriated the sum of
 144 three hundred dollars (\$300) per annum, each to the Northern and Southern
 145 Grand Divisions of said court, and to the Central Grand Division of said
 146 court, the sum of four hundred dollars (\$400) per annum, for the pay of
 147 janitors, to perform such duties as shall be determined by said justices, to

148 be paid quarterly, upon the order of at least two of the justices of said
 149 court. There is also hereby appropriated to defray the incidental and con-
 150 tingent expenses of the Appellate Courts of this State, to-wit: For rents of
 151 court rooms, stationery, fuel, lights, postage, expressage, repairs, furniture,
 152 and other expenses deemed necessary by the respective courts, the following
 153 sums: To the First District, the sum of sixty-two hundred dollars (\$6,200)
 154 per annum; to the Second District, the sum of two thousand dollars (\$2,000)
 155 per annum; to the Third District, the sum of fifteen hundred dollars
 156 (\$1,500) per annum; to the Fourth District, the sum of one thousand dol-
 157 lars (\$1,000) per annum; these sums to be paid upon bills of particulars
 158 certified to by the clerk of the respective court, and upon the order of at
 159 least two of the judges of the respective court for which the expense was
 160 incurred. Also, the sum of six hundred dollars (\$600) per annum, for First
 161 District, and the sum of three hundred dollars (\$300) per annum to each, of the
 162 Second, Third and Fourth Districts for the pay of janitors, to perform
 163 such duties as shall be determined by the judges of the respective courts,
 164 to be paid quarterly, upon the order of at least two of the judges of
 165 said courts for their district.

166 *Twenty-first*—The sum of fifty dollars (\$50), or so much thereof as may be
 167 necessary for the payment of bailiff at the next session of the court of
 168 claims, payable upon the order of the judges thereof.

169 *Twenty-second*—For public printing, thirty thousand dollars (\$30,000), or so
 170 much thereof as may be required. For public binding, ten thousand dol-
 171 lars (\$10,000) per annum, or so much thereof as may be required. The pub-
 172 lic printing and binding to be paid for according to the contract, upon the
 173 certificate of the Board of Commissioners of State Contracts, and approved
 174 by the Governor.

175 *Twenty-third*—The sum of fifty-seven thousand dollars (\$57,000) per annum,
 176 or so much thereof as may be necessary, to pay the interest on the school
 177 fund, distributed annually in pursuance of law; the amount appropriated
 178 under this clause to be paid out of the State school fund.

179 *Twenty-fourth*—Such sums as may be necessary to refund the taxes on
 180 real estate sold or paid in error, and for over payments of collector's
 181 accounts, under laws governing such cases, to be paid out of the proper
 182 funds.

183 *Twenty-fifth*—For laborers, janitors and watchmen of the State House
 184 who shall perform such duties as shall be assigned to them by the Secre-
 185 tary of State, the sum of six thousand dollars (\$6,000) per annum, payable
 186 monthly upon the order of said Secretary of State.

187 *Twenty-sixth*—For the salary of the curator of the Illinois State Histor-
 188 ical Library and Natural History Museum, the sum of two thousand dollars
 189 (\$2,000) per annum, and for the salary of one assistant, the sum of six
 190 hundred dollars (\$600) per annum, and for a janitor, the sum of six
 191 hundred dollars (\$600) per annum, payable monthly. For the contingent
 192 and necessary expenses of the curator, including traveling on business con-
 193 nected with his office, the sum of three hundred dollars (\$300) per annum,
 194 and for new cases for the museum, the sum of twenty-five hundred dollars
 195 (\$2,500), payable on bills for work done, and approved by the Board of
 196 Trustees of the State Historical Library and Natural History Museum.

197 *Twenty-seventh*—To the Railroad and Warehouse Commissioners, for the
 198 incidental expenses of their office, including care, stationery, postage and
 199 telegraphing expenses, extra clerk hire, and for the secretary's salary, and
 200 for all necessary expenditures except those hereinafter provided for, a sum
 201 not to exceed five thousand dollars (\$5,000) per annum. For expenses in-
 202 curred in suits or investigations commenced by authority of the State, under
 203 any law now in force or hereafter to be enacted, empowering or instruct-
 204 ing the board of commissioners, including the fees of experts employed, the
 205 sum of five thousand dollars (\$5,000) per annum, or such part thereof as
 206 may be needed for such purposes. For the printing and publication of
 207 schedules of reasonable maximum rates of charges for the transportation
 208 of passengers and freights and cars, made or revised for any or all of the
 209 railroads of this State, as provided by law, the sum of two thousand five
 210 hundred dollars (\$2,500), or so much thereof as may be needed for such
 211 purpose.

212 *Twenty-eighth*—A sum not to exceed fifty thousand dollars (\$50,000) for the
 213 pay of the employes of the next General Assembly, as allowed them by
 214 law, to be paid on pay-rolls, certified to by the presiding officers of the re-
 215 spective houses, or as otherwise provided by law.

216 *Twenty-ninth*—For copying the laws, journals and joint resolutions of the
 217 General Assembly, as provided by law, five hundred dollars (\$500). For
 218 distribution of the laws, journals and other State documents, and inciden-
 219 tal expenses connected therewith, the sum of five hundred dollars (\$500);
 220 and for expressage and postage on same, five hundred dollars (\$500).

221 *Thirtieth*—For heating, fuel and pay of engineers and firemen of the
 222 State House, and other incidental expenses thereof, the sum of ten thousand
 223 dollars (\$10,000) per annum, or so much thereof as may be needed. For
 224 lighting the State House and other incidental expenses thereof, the sum of
 225 four thousand dollars (\$4,000) per annum, or so much thereof as may be
 226 necessary, to be paid upon bills of particulars, certified to by the Secretary
 227 of State and approved by the Governor.

228 *Thirty-first*—To the State Board of Equalization, for paying expenses, a
 229 sum not to exceed eight thousand dollars (\$8,000) per annum, payable in
 230 the manner provided by law.

231 *Thirty-second*—The sum of two hundred and fifty dollars (\$250) per annum,
 232 for the purchase of books for the library of the Southern Illinois Peniten-
 233 tiary, at Chester, to be paid upon bills of particulars, having the order of
 234 the Governor endorsed thereon.

235 *Thirty-third*—The sum of two hundred and fifty dollars (\$250) per annum,
 236 for the purchase of books for the library of the Illinois State Penitentiary,
 237 at Joliet, to be paid upon bills of particulars, having the order of the
 238 Governor endorsed thereon.

239 *Thirty-fourth*—Such sum as may be necessary to enable the Secretary of
 240 State to purchase such volumes of the reports of the decisions of the
 241 Supreme Court as he is or may be required by law to purchase, to be paid
 242 on bills of particulars, certified to by the Secretary of State and approved
 243 by the Governor.

244 *Thirty-fifth*—The sum of twenty-five hundred dollars (\$2,500), or so much
 245 thereof as may be required, for repairs and necessary improvements in the
 246 heating department of the State House, to be paid upon bills of particulars,
 247 certified to by the Secretary of State and approved by the Governor.

248 *Thirty-sixth*—To the State Board of Health, for salary of secretary, a sum
 249 not to exceed thirty-five hundred dollars (\$3,500) per annum; for necessary
 250 office expense, including expenses incurred in attending meetings of the
 251 board, and in making sanitary inspections, two thousand dollars (\$2,000)
 252 per annum; for salary of assistant secretary, and additional clerk hire that
 253 may be needed, five thousand dollars (\$5,000) per annum. Also, the sum of
 254 five thousand dollars (\$5,000) as a contingent fund, to be used only with
 255 the consent and concurrence of the Governor, in case of the outbreak or
 256 threatened outbreak of any epidemic or malignant disease, such as yellow
 257 fever, cholera, etc., to defray the expenses of the Board of Health in investi-
 258 gating the causes of such diseases, and in aiding to prevent their spread, to
 259 be paid upon the order of the State Board of Health, signed by the presi-
 260 dent of the board and attested by the secretary.

261 *Thirty-seventh*—To the State Library (Secretary of State), for the purchase
 262 of books and expenses of the State Library, two thousand five hundred
 263 dollars (\$2,500) per annum, payable on bills certified by the board of com-
 264 missioners of the State Library. Also, eight hundred dollars (\$800) per
 265 annum, for salary of assistant librarian, payable monthly, on the order of
 266 the Secretary of State, approved by the Governor.

267 *Thirty-eighth*—The sum of one million dollars (\$1,000,000) annually, out of
 268 the State school fund, to pay the amount of the Auditor's orders for the
 269 distribution of said fund to the several counties. The Auditor shall issue
 270 his warrants on the proper evidence that the amount distributed has been
 271 paid to the county school superintendents.

272 *Thirty-ninth*—To the Commissioners of Labor Statistics, the sum of three
 273 thousand (\$3,000) dollars per annum, or so much thereof as may be neces-
 274 sary for the current expenses of the board in procuring statistics; and the sum
 275 of two thousand (\$2,000) dollars per annum for the salary of their Secretary.

276 *Fortieth*—The sum of five thousand dollars (\$5,000) per annum, or so
277 much thereof as may be necessary, to the Fish Commissioners of this State,
278 to be used by them in pursuance of law; all expenditures to be upon bills
279 of particulars, certified to by a majority of the commissioners, and approved
280 by the Governor.

281 *Forty-first*—A sum not exceeding five thousand dollars (\$5,000) to pay the
282 expenses of committees of the Thirty-fourth General Assembly, such ex-
283 penses to be certified as may be provided by resolution of either house.

§ 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrant on the State Treasurer for the sums herein specified,
3 upon the presentation of proper vouchers, and the State Treasurer shall
4 pay the same out of the proper funds in the treasury not otherwise appro-
5 priated. Said warrants shall be drawn in favor of and payable to the order
6 of the persons entitled thereto.

1. Introduced by the Committee on Appropriations, February 28, 1883, and ordered to first reading.
2. First reading February 28, 1883, and ordered to second reading.

A BILL

For An Act to provide for the ordinary and contingent expenses of the State government, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That the following named sums be and are hereby appropriated to
3 meet the ordinary and contingent expenses of the State government, until the expiration of
4 the first fiscal quarter after the adjournment of the next regular session of the General
5 Assembly:

6 *First*—A sum not exceeding three thousand dollars (\$3,000) per annum shall be subject
7 to the order of the Governor for defraying all such public expenses of the State government,
8 as are unforeseen by the General Assembly, and not otherwise provided for by law, payment
9 to be made from time to time upon bills of particulars, certified to by the Governor.

10 *Second*—The sum of three thousand five hundred dollars (\$3,500) per annum, for clerk
11 hire in the Governor's office, payable quarterly, upon the Governor's order.

12 *Third*—A sum not to exceed seven hundred and fifty dollars (\$750) per annum, for postage,
13 expressage, telegraphing and other incidental expenses connected with the Governor's office,
14 to be paid on bills of particulars, certified to by the Governor

15 *Fourth*—To the Governor, for one porter, the sum of seven hundred dollars (\$700) per
16 annum, payable quarterly, upon the order of the Governor.

17 *Fifth*—To the Governor, for repairs and care of executive mansion and grounds, and for
18 heating and lighting the executive mansion, three thousand dollars (\$3,000) per annum, to
19 be paid on bills of particulars, certified to by the Governor.

20 *Sixth*—To the Governor, for new roof for the executive mansion and for repairing chim-
 21 neys and fence, the sum of one thousand dollars (\$1,000), or so much thereof as may be
 22 necessary, to be paid upon bills of particulars, certified to by the Governor.

23 *Seventh*—To the Secretary of State, for clerk hire in his office, the sum of ten thousand
 24 five hundred dollars (\$10,500) per annum, payable quarterly, upon his order. To the Secre-
 25 tary of State, for repairs, postage, expressage, telegraphing and other incidental expenses of
 26 the office, a sum not exceeding three thousand dollars (\$3,000) per annum, payable upon
 27 bills of particulars, certified by the Secretary of State, and approved by the Governor. To
 28 the Secretary of State, for two porters or messengers, the sum of seven hundred dollars
 29 (\$700) each per annum, payable monthly, upon his order; also, for continuing the work of
 30 indexing, classifying and arranging the files and records of the office of the State department,
 31 the sum of three thousand dollars (\$3,000) per annum, payable upon his order and approved
 32 by the Governor. To the Secretary of State, for the payment of all necessary incidental ex-
 33 penses incurred by him in the care and custody of the State House and grounds and other
 34 State property, and in repairs and improvements of the same, and for the performance of
 35 such other duties as may be imposed upon him by law, and for which no other appropriation
 36 has been made, the sum of ten thousand dollars (\$10,000) per annum, payable upon bills of
 37 particulars, certified to by the Secretary of State and approved by the Governor.

38 *Eighth*—To the Auditor of Public Accounts, for clerk hire, the sum of seven thousand
 39 five hundred dollars (\$7,500) per annum, to be paid quarterly, upon his order. To the Aud-
 40 itor of Public Accounts, for two porters or messengers, the sum of seven hundred dollars
 41 (\$700) each per annum, payable quarterly, upon his order. To the Auditor of Public
 42 Accounts, for repairs, postage, express charges, telegraphing and other incidental expenses
 43 incurred in the discharge of his duties, a sum not exceeding one thousand five hundred dol-
 44 lars (\$1,500) per annum.

45 *Ninth*—To the Auditor of Public Accounts, for the arrangement and proper indexing of
 46 the field notes and plats of the United States surveys, recently received from the office of the
 47 late Custodian, the sum of five hundred dollars (\$500), payable upon his order.

48 *Tenth*—To the State Treasurer, for clerk hire, the sum of four thousand dollars (\$4,000)
 49 per annum, payable quarterly, upon his order. To the State Treasurer, for repairs, express
 50 charges, postage, telegraphing and other necessary incidental expenses connected with his

51 office, a sum not to exceed one thousand dollars (\$1,000) per annum, payable upon bills of
 52 particulars, certified to by him, and approved by the Governor. To the State Treasurer,
 53 the sum of three thousand two hundred dollars (\$3,200) per annum, for two night and two
 54 day watchmen, payable quarterly, upon his order. To the State Treasurer, the sum of
 55 eight hundred dollars (\$800) per annum, for messenger and clerk, payable quarterly, upon
 56 his order.

57 *Eleventh*—To the Superintendent of Public Instruction, for clerk hire, the sum of two
 58 thousand four hundred dollars (\$2,400) per annum; and for a janitor, porter and messenger,
 59 who shall also perform the duties of clerk when not otherwise employed, the sum of eight
 60 hundred dollars (\$800) per annum, payable quarterly, upon his order. To the Superintend-
 61 ent of Public Instruction, for repairs, periodicals, and educational works and other neces-
 62 sary expenses of said office, a sum not exceeding one thousand five hundred dollars (\$1,500)
 63 per annum, payable on bills of particniars, certified to by him and approved by the Gover-
 64 nor. Appropriations made by this clause to be paid out of the State school fund.

65 *Twelfth*—To the Attorney General, for clerk hire, the sum of two thousand dollars
 66 (\$2,000) per annum, payable quarterly, upon his order, and for a porter and messenger, who
 67 shall also act as porter and messenger for the Supreme Court reporter, the sum of six
 68 hundred dollars (\$600) per annum, payable quarterly upon his order. To the Attorney
 69 General, for telegraphing, postage and other necessary expenses incurred in the discharge
 70 of his duties, a sum not to exceed two thousand dollars (\$2,000) per annum, payable on
 71 bills of particulars, certified to him and approved by the Governor.

72 *Thirteenth*—To the Adjutant General, for clerks, ordnance sergeant and janitor to aid
 73 and assist him in the discharge of his duties, the sum of four thousand five hundred dollars
 74 (\$4,500) per annum, payable quarterly, upon his order. To the Adjutant-General, for tel-
 75 egraphing, postage, and other necessary office expenses, a sum not to exceed one thousand
 76 dollars (\$1,000) per annum: *Provided*, the amount appropriated under this clause shall
 77 be paid out of the military fund.

78 *Fourteenth*—To the Board of Public Charities, for salary of secretary, a sum not to ex-
 79 ceed three thousand dollars (\$3,000) per annum; and for clerk hire and necessary incidental
 80 expenses of the board, a sum not to exceed five thousand dollars (\$5,000) per annum, pay-
 81 able quarterly, on bills of particulars, approved by the Governor.

82 *Fifteenth*—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs
 83 and expenses of State suits, to be paid upon bills of particulars, certified to by the Auditor
 84 and approved by the Governor.

85 *Sixteenth*—A sum not exceeding twenty-five thousand dollars (\$25,000) per annum, or
 86 so much thereof as may be necessary, for conveying convicts to the penitentiary, to be paid
 87 on the warden's certificate, at the compensation fixed by the general laws; the Auditor to
 88 compute the distance by the nearest railroad route.

89 *Seventeenth*—For the payment of the expenses provided for by law for the apprehen-
 90 sion and delivery of fugitives from justice, twenty thousand dollars (\$20,000), or so much
 91 thereof as may be necessary, payable out of the levy of 1882, and fifteen thousand dollars
 92 (\$15,000) payable out of the levy of 1883, to be paid on the evidence required by law, cer-
 93 tified and approved by the Governor; and the sum of three thousand dollars (\$3,000) for
 94 rewards for arrests of fugitives from justice, to be paid upon bills of particulars, having the
 95 order of the Governor endorsed thereon.

96 *Eighteenth*—The sum of three thousand dollars (\$3,000) per annum, or so much thereof
 97 as may be needed, for conveying juvenile offenders to the Reform School, at Pontiac, pay-
 98 able on the superintendent's certificate of delivery, at the rate of compensation allowed by
 99 law; the Auditor to compute the distance by the nearest railroad route.

100 *Nineteenth*—For printing paper and stationery, for the use of the General Assembly and
 101 executive departments, purchased on contracts as required by law, payable on delivery
 102 thereof, on bills of particulars, certified to by the Board of Commissioners of State Con-
 103 tracts, and approved by the Governor, the sum of fifteen thousand dollars (\$15,000), or so
 104 much thereof as may be needed, payable out of the levy of 1882, and fifteen thousand dollars
 105 (\$15,000) payable out of the levy of 1883.

106 *Twentieth*—There is hereby appropriated to defray the incidental and contingent ex-
 107 penses of the Supreme Court, to-wit: For stationery, repairs, furniture, expressage, books,
 108 and other expenses deemed necessary by the court, the following sums: To the Northern
 109 Grand Division, the sum of two thousand five hundred dollars (\$2,500) per annum; to the
 110 Central Grand Division, the sum of two thousand dollars (\$2,000) per annum; to the
 111 Southern Grand Division, the sum of fifteen hundred dollars (\$1,500) per annum; the same
 112 to be payable upon bills of particulars, certified to by at least two of the justices of said

113 court. There is also appropriated for the pay of the librarians of the several grand divisions
 114 of said court, who shall also act as librarians for the appellate courts, when in session in their
 115 respective grand divisions, the following sums: To the Northern and Southern Grand
 116 Divisions, each the sum of four hundred dollars (\$400) per annum; to the Central Grand
 117 Division, the sum of one thousand dollars (\$1,000) per annum, payable quarterly, upon
 118 the certificate of at least two justices of said court. There is also appropriated the sum of
 119 three hundred dollars (\$300) per annum, each to the Northern and Southern Grand Divi-
 120 sions of said court, and to the Central Grand Division of said court, the sum of four hundred
 121 dollars (\$400) per annum, for the pay of janitors, to perform such duties as shall be de-
 122 termined by said justices, to be paid quarterly, upon the order of at least two of the justices
 123 of said court. There is also hereby appropriated to defray the incidental and contingent ex-
 124 penses of the Appellate Courts of this State, to wit: For rents of court rooms, stationery,
 125 fuel, lights, postage, expressage, repairs, furniture, and other expenses deemed necessary by
 126 the respective courts, the following sums: To the First District, the sum of sixty-two
 127 hundred dollars (\$6,200) per annum; to the Second District, the sum of two thousand dol-
 128 lars (\$2,000) per annum; to the Third District, the sum of fifteen hundred dollars (\$1,500)
 129 per annum; to the Fourth District, the sum of one thousand dollars (\$1,000) per annum;
 130 these sums to be paid upon bills of particulars certified to by the clerk of the respective
 131 courts, and upon the order of at least two of the judges of the respective courts for which the
 132 expense was incurred. Also, the sum of six hundred dollars (\$600) per annum, for the First
 133 District, and the sum of three hundred dollars (\$300) per annum to each, of the Second,
 134 Third and Fourth Districts for the pay of janitors, to perform such duties as shall be de-
 135 termined by the judges of the respective courts, to be paid quarterly, upon the order of at
 136 least two of the judges of said courts for their district; also the sum of eight thousand dol-
 137 lars (\$8,000) to be expended in purchasing law books for the library of the Appellate Court
 138 of the First District; and the sum of six hundred dollars (\$600) per annum, for the payment
 139 of the salary of a librarian, to be paid quarterly, upon the order of at least two of the judges
 140 of said court.

141 *Twenty-first*—The sum of fifty dollars (\$50), or so much thereof as may be necessary for
 142 the payment of bail ff at the next session of the court of claims, payable upon the order of
 143 the judges thereof.

144 *Twenty-second*—For public printing, thirty thousand dollars (\$30,000), or so much
 145 thereof as may be required. For public binding, ten thousand dollars (\$10,000) per
 146 annum, or so much thereof as may be required. The public printing and binding to be
 147 paid for according to the contract, upon the certificate of the Board of Commissioners of
 148 State Contracts, and approved by the Governor.

149 *Twenty-third*—The sum of fifty-seven thousand dollars (\$57,000) per annum, or so
 150 much thereof as may be necessary, to pay the interest on the school fund, distributed
 151 annually in pursuance of law; the amount appropriated under this clause to be paid out of
 152 the State school fund.

153 *Twenty-fourth*—Such sums as may be necessary to refund the taxes on real estate sold
 154 or paid in error, and for over payments of collector's accounts, under laws governing such
 155 cases, to be paid out of the proper funds.

156 *Twenty-fifth*—For laborers, janitors and watchmen of the State House who shall per-
 157 form such duties as shall be assigned to them by the Secretary of State, the sum of six
 158 thousand dollars (\$6,000) per annum, payable monthly upon the order of said Secretary of
 159 State.

160 *Twenty-sixth*—For the salary of the curator of the Illinois State Historical Library and
 161 Natural History Museum, the sum of two thousand dollars (\$2,000) per annum, and for
 162 the salary of one assistant, the sum of six hundred dollars (\$600) per annum, and
 163 for a janitor, the sum of six hundred dollars (\$600) per annum, payable monthly.
 164 For the contingent and necessary expenses of the curator, including traveling
 165 on business connected with his office, the sum of three hundred dollars (\$300) per annum,
 166 and for new cases for the museum, the sum of twenty-five hundred dollars (\$2,500), payable
 167 on bills for work done, and approved by the Board of Trustees of the State Historical
 168 Library and Natural History Museum.

169 *Twenty-seventh*—To the Railroad and Warehouse Commissioners, for the incidental
 170 expenses of their office, including care, stationery, postage and telegraphing expenses, ex-
 171 tra clerk hire, and for the secretary's salary, and for all necessary expenditures except those
 172 hereinafter provided for, a sum not to exceed five thousand dollars (\$5,000) per annum.
 173 For expenses incurred in suits or investigations commenced by authority of the State, under
 174 any law now in force or hereafter to be enacted, empowering or instructing the board of
 175 commissioners, including the fees of experts employed, the sum of five thousand dollars
 176 (\$5,000) per annum, or such part thereof as may be needed for such purposes. For the

177 printing and publication of schedules of reasonable maximum rates of charges for the trans-
 178 portation of passengers and freights and cars, made or revised for any or all of the railroads
 179 of this State, as provided by law, the sum of two thousand five hundred dollars (\$2,500), or
 180 so much thereof as may be needed for such purpose.

181 *Twenty-eighth*—A sum not to exceed fifty thousand dollars (\$50,000) for the pay of the
 182 employees of the next General Assembly, as allowed them by law, to be paid on pay-rolls,
 183 certified to by the presiding officers of the respective houses, or as otherwise provided by
 184 law.

185 *Twenty-ninth*—For copying the laws, journals and joint resolutions of the General
 186 Assembly, as provided by law, five hundred dollars (\$500). For distribution of the laws,
 187 journals and other State documents, and incidental expenses connected therewith, the sum
 188 of five hundred dollars (\$500); and for expressage and postage on same, five hundred dol-
 189 lars (\$500).

190 *Thirtieth*—For heating, fuel and pay of engineers and firemen of the State House, and
 191 other incidental expenses thereof, the sum of ten thousand dollars (\$10,000) per annum, or
 192 so much thereof as may be needed. For lighting the State House and other incidental ex-
 193 penses thereof, the sum of four thousand dollars (\$4,000) per annum, or so much thereof as
 194 may be necessary, to be paid upon bills of particulars, certified to by the Secretary of State
 195 and approved by the Governor.

196 *Thirty-first*—To the State Board of Equalization, for paying expenses, a sum not to ex-
 197 ceed eight thousand dollars (\$8,000) per annum, payable in the manner provided by law.

198 *Thirty-second*—The sum of two hundred and fifty dollars (\$250) per annum, for the pur-
 199 chase of books for the library of the Southern Illinois Penitentiary, at Chester, to be paid
 200 upon bills of particulars, having the order of the Governor endorsed thereon.

201 *Thirty-third*—The sum of two hundred and fifty dollars (\$250) per annum, for the pur-
 202 chase of books for the library of the Illinois State Penitentiary, at Joliet, to be paid upon
 203 bills of particulars, having the order of the Governor endorsed thereon.

204 *Thirty-fourth*—Such sum as may be necessary to enable the Secretary of State to pur-
 205 chase such volumes of the reports of the decisions of the Supreme Court as he is or may be
 206 required by law to purchase, to be paid on bills of particulars, certified to by the Secretary
 207 of State and approved by the Governor.

208 *Thirty-fifth*—The sum of twenty-five hundred dollars (\$2,500), or so much thereof as
 209 may be required, for repairs and necessary improvements in the heating department of the
 210 State House, to be paid upon bills of particulars, certified to by the Secretary of State and
 211 approved by the Governor.

212 *Thirty-sixth*—To the State Board of Health, for salary of secretary, a sum not to exceed
 213 thirty-five hundred dollars (\$3,500) per annum; for necessary office expense, including
 214 expenses incurred in attending meetings of the board, and in making sanitary inspections,
 215 two thousand dollars (\$2,000) per annum; for salary of assistant secretary, and additional
 216 clerk hire that may be needed, five thousand dollars (\$5,000) per annum. Also, the sum of
 217 five thousand dollars (\$5,000) as a contingent fund, to be used only with the consent and
 218 concurrence of the Governor, in case of the outbreak or threatened outbreak of any epidemic
 219 or malignant disease, such as yellow fever, cholera, etc., to defray the expenses of the Board
 220 of Health in investigating the causes of such diseases, and in aiding to prevent their spread;
 221 to be paid upon the order of the State Board of Health, signed by the president of the board
 222 and attested by the secretary.

223 *Thirty-seventh*—To the State Library (Secretary of State), for the purchase of books and
 224 expenses of the State Library, two thousand five hundred dollars (\$2,500) per annum, pay-
 225 able on bills certified by the board of commissioners of the State Library. Also, eight
 226 hundred dollars (\$800) per annum, for salary of assistant librarian, payable monthly, on the
 227 order of the Secretary of State, approved by the Governor.

228 *Thirty-eighth*—The sum of one million dollars (\$1,000,000) annually, out of the State
 229 school fund, to pay the amount of the Auditor's orders for the distribution of said fund to
 230 the several counties. The Auditor shall issue his warrants on the proper evidence that the
 231 amount distributed has been paid to the county school superintendents.

232 *Thirty-ninth*—To the Commissioners of Labor Statistics, the sum of three thousand dol-
 233 lars (\$3,000) per annum, or so much thereof as may be necessary for the current expenses of
 234 the board in procuring statistics; and the sum of two thousand (\$2,000) dollars per annum
 235 for the salary of their Secretary.

236 *Fortieth*—The sum of five thousand dollars (\$5,000) per annum, or so much thereof as
 237 may be necessary, to the Fish Commissioners of this State, to be used by them in pur-
 238 suance of law; all expenditures to be upon bills of particulars, certified to by a major-
 239 ity of the commissioners, and approved by the Governor.

240 *Forty-first*—A sum not exceeding five thousand dollars (\$5,000) to pay the expenses of
241 committees of the Thirty-fourth General Assembly, such expenses to be certified as may
242 be provided by resolution of either house.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his war-
2 rant on the State Treasurer for the sums herein specified, upon the presentation of proper
3 vouchers, and the State Treasurer shall pay the same out of the proper funds in the treasury
4 not otherwise appropriated. Said warrants shall be drawn in favor of and payable to the
5 order of the persons entitled thereto.

1. Reported to House March 22, 1883.
2. First reading April 5, 1883, and referred to Committee on Appropriations.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading April 7, 1883.

A BILL

For An Act to provide for the ordinary and contingent expenses of the State government, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That the following named sums be and are hereby appropriated to
3 meet the ordinary and contingent expenses of the State government, until the expiration of
4 the first fiscal quarter after the adjournment of the next regular session of the General
5 Assembly:

6 *First*—A sum not exceeding three thousand dollars (\$3,000) per annum shall be subject
7 to the order of the Governor for defraying all such public expenses of the State government,
8 as are unforeseen by the General Assembly, and not otherwise provided for by law, payment
9 to be made from time to time upon bills of particulars, certified to by the Governor.

10 *Second*—The sum of three thousand five hundred dollars (\$3,500) per annum, for clerk
11 hire in the Governor's office, payable quarterly, upon the Governor's order.

12 *Third*—A sum not to exceed seven hundred and fifty dollars (\$750) per annum, for postage,
13 expressage, telegraphing and other incidental expenses connected with the Governor's office,
14 to be paid on bills of particulars, certified to by the Governor.

15 *Fourth*—To the Governor, for one porter, the sum of seven hundred dollars (\$700) per
16 annum, payable quarterly, upon the order of the Governor.

17 *Fifth*—To the Governor, for repairs and care of executive mansion and grounds, and for
18 heating and lighting the executive mansion, three thousand dollars (\$3,000) per annum, to
19 be paid on bills of particulars, certified to by the Governor.

20 *Sixth*—To the Governor, for new roof for the executive mansion and for repairing chim-
 21 neys and fence, the sum of one thousand dollars (\$1,000), or so much thereof as may be
 22 necessary, to be paid upon bills of particulars, certified to by the Governor.

23 *Seventh*—To the Secretary of State, for clerk hire in his office, the sum of ten thousand
 24 five hundred dollars (\$10,500) per annum, payable quarterly, upon his order. To the Secre-
 25 tary of State, for repairs, postage, expressage, telegraphing and other incidental expenses of
 26 the office, a sum not exceeding three thousand dollars (\$3,000) per annum, payable upon
 27 bills of particulars, certified by the Secretary of State, and approved by the Governor. To
 28 the Secretary of State, for two porters or messengers, the sum of seven hundred dollars
 29 (\$700) each per annum, payable monthly, upon his order; also, for continuing the work of
 30 indexing, classifying and arranging the files and records of the office of the State department,
 31 the sum of three thousand dollars (\$3,000) per annum, payable upon his order and approved
 32 by the Governor. To the Secretary of State, for the payment of all necessary incidental ex-
 33 penses incurred by him in the care and custody of the State House and grounds and other
 34 State property, and in repairs and improvements of the same, and for the performance of
 35 such other duties as may be imposed upon him by law, and for which no other appropriation
 36 has been made, the sum of ten thousand dollars (\$10,000) per annum, payable upon bills of
 37 particulars, certified to by the Secretary of State and approved by the Governor.

38 *Eighth*—To the Auditor of Public Accounts, for clerk hire, the sum of seven thousand
 39 five hundred dollars (\$7,500) per annum, to be paid quarterly, upon his order. To the Aud-
 40 itor of Public Accounts, for two porters or messengers, the sum of seven hundred dollars
 41 (\$700) each per annum, payable quarterly, upon his order. To the Auditor of Public
 42 Accounts, for repairs, postage, express charges, telegraphing and other incidental expenses
 43 incurred in the discharge of his duties, a sum not exceeding one thousand five hundred dol-
 44 lars (\$1,500) per annum.

45 *Ninth*—To the Auditor of Public Accounts, for the arrangement and proper indexing of
 46 the field notes and plats of the United States surveys, recently received from the office of the
 47 late Custodian, the sum of five hundred dollars (\$500), payable upon his order.

48 *Tenth*—To the State Treasurer, for clerk hire, the sum of four thousand dollars (\$4,000)
 49 per annum, payable quarterly, upon his order. To the State Treasurer, for repairs, express
 50 charges, postage, telegraphing and other necessary incidental expenses connected with his

51 office, a sum not to exceed one thousand dollars (\$1,000) per annum, payable upon bills of
 52 particulars, certified to by him, and approved by the Governor. To the State Treasurer,
 53 the sum of three thousand two hundred dollars (\$3,200) per annum, for two night and two
 54 day watchmen, payable quarterly, upon his order. To the State Treasurer, the sum of
 55 eight hundred dollars (\$800) per annum, for messenger and clerk, payable quarterly, upon
 56 his order.

57 *Eleventh*—To the Superintendent of Public Instruction, for clerk hire, the sum of two
 58 thousand four hundred dollars (\$2,400) per annum; and for a janitor, porter and messenger,
 59 who shall also perform the duties of clerk when not otherwise employed, the sum of eight
 60 hundred dollars (\$800) per annum, payable quarterly, upon his order. To the Superintend-
 61 ent of Public Instruction, for repairs, periodicals, and educational works and other neces-
 62 sary expenses of said office, a sum not exceeding one thousand five hundred dollars (\$1,500)
 63 per annum, payable on bills of particulars, certified to by him and approved by the Gover-
 64 nor. Appropriations made by this clause to be paid out of the State school fund.

65 *Twelfth*—To the Attorney General, for clerk hire, the sum of two thousand dollars
 66 (\$2,000) per annum, payable quarterly, upon his order, and for a porter and messenger, who
 67 shall also act as porter and messenger for the Supreme Court reporter, the sum of six
 68 hundred dollars (\$600) per annum, payable quarterly upon his order. To the Attorney
 69 General, for telegraphing, postage and other necessary expenses incurred in the discharge
 70 of his duties, a sum not to exceed two thousand dollars (\$2,000) per annum, payable on
 71 bills of particulars, certified to him and approved by the Governor.

72 *Thirteenth*—To the Adjutant-General, for clerks, ordnance sergeant and janitor to aid
 73 and assist him in the discharge of his duties, the sum of four thousand five hundred dollars
 74 (\$4,500) per annum, payable quarterly, upon his order. To the Adjutant-General, for tel-
 75 egraphing, postage, and other necessary office expenses, a sum not to exceed one thousand
 76 dollars (\$1,000) per annum: *Provided*, the amount appropriated under this clause shall
 77 be paid out of the military fund.

78 *Fourteenth*—To the Board of Public Charities, for salary of secretary, a sum not to ex-
 79 ceed three thousand dollars (\$3,000) per annum; and for clerk hire and necessary incidental
 80 expenses of the board, a sum not to exceed five thousand dollars (\$5,000) per annum, pay-
 81 able quarterly, on bills of particulars, approved by the Governor.

82 *Fifteenth*—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs
83 and expenses of State suits, to be paid upon bills of particulars, certified to by the Auditor
84 and approved by the Governor.

85 *Sixteenth*—A sum not exceeding twenty-five thousand dollars (\$25,000) per annum, or
86 so much thereof as may be necessary, for conveying convicts to the penitentiary, to be paid
87 on the warden's certificate, at the compensation fixed by the general laws; the Auditor to
88 compute the distance by the nearest railroad route.

89 *Seventeenth*—For the payment of the expenses provided for by law for the apprehen-
90 sion and delivery of fugitives from justice, twenty thousand dollars (\$20,000), or so much
91 thereof as may be necessary, payable out of the levy of 1882, and fifteen thousand dollars
92 (\$15,000) payable out of the levy of 1883, to be paid on the evidence required by law, cer-
93 tified and approved by the Governor; and the sum of three thousand dollars (\$3,000) for
94 rewards for arrests of fugitives from justice, to be paid upon bills of particulars, having the
95 order of the Governor endorsed thereon.

96 *Eighteenth*—The sum of three thousand dollars (\$3,000) per annum, or so much thereof
97 as may be needed, for conveying juvenile offenders to the Reform School, at Pontiac, pay-
98 able on the superintendent's certificate of delivery, at the rate of compensation allowed by
99 law; the Auditor to compute the distance by the nearest railroad route.

100 *Nineteenth*—For printing paper and stationery, for the use of the General Assembly and
101 executive departments, purchased on contracts as required by law, payable on delivery
102 thereof, on bills of particulars, certified to by the Board of Commissioners of State Con-
103 tracts, and approved by the Governor, the sum of fifteen thousand dollars (\$15,000), or so
104 much thereof as may be needed, payable out of the levy of 1882, and fifteen thousand dollars
105 (\$15,000) payable out of the levy of 1883.

106 *Twentieth*—There is hereby appropriated to defray the incidental and contingent ex-
107 penses of the Supreme Court, to-wit: For stationery, repairs, furniture, expressage, books,
108 and other expenses deemed necessary by the court, the following sums: To the Northern
109 Grand Division, the sum of two thousand five hundred dollars (\$2,500) per annum; to the
110 Central Grand Division, the sum of two thousand dollars (\$2,000) per annum; to the
111 Southern Grand Division, the sum of fifteen hundred dollars (\$1,500) per annum; the same
112 to be payable upon bills of particulars, certified to by at least two of the justices of said

113 court. There is also appropriated for the pay of the librarians of the several grand divisions
 114 of said court, who shall also act as librarians for the appellate courts, when in session in their
 115 respective grand divisions, the following sums: To the Northern and Southern Grand
 116 Divisions, each the sum of four hundred dollars (\$400) per annum; to the Central Grand
 117 Division, the sum of one thousand dollars (\$1,000) per annum, payable quarterly, upon
 118 the certificate of at least two justices of said court. There is also appropriated the sum of
 119 three hundred dollars (\$300) per annum, each to the Northern and Southern Grand Divis-
 120 ions of said court, and to the Central Grand Division of said court, the sum of four hundred
 121 dollars (\$400) per annum, for the pay of janitors, to perform such duties as shall be de-
 122 termined by said justices, to be paid quarterly, upon the order of at least two of the justices
 123 of said court. There is also hereby appropriated to defray the incidental and contingent ex-
 124 penses of the Appellate Courts of this State, to wit: For rents of court rooms, stationery,
 125 fuel, lights, postage, expressage, repairs, furniture, and other expenses deemed necessary by
 126 the respective courts, the following sums: To the First District, the sum of sixty-two
 127 hundred dollars (\$6,200) per annum; to the Second District, the sum of two thousand dol-
 128 lars (\$2,000) per annum; to the Third District, the sum of fifteen hundred dollars (\$1,500)
 129 per annum; to the Fourth District, the sum of one thousand dollars (\$1,000) per annum;
 130 these sums to be paid upon bills of particulars certified to by the clerk of the respective
 131 courts, and upon the order of at least two of the judges of the respective courts for which the
 132 expense was incurred. Also, the sum of six hundred dollars (\$600) per annum, for the First
 133 District, and the sum of three hundred dollars (\$300) per annum to each, of the Second,
 134 Third and Fourth Districts for the pay of janitors, to perform such duties as shall be de-
 135 termined by the judges of the respective courts, to be paid quarterly, upon the order of at
 136 least two of the judges of said courts for their district; also the sum of eight thousand dol-
 137 lars (\$8,000) to be expended in purchasing law books for the library of the Appellate Court
 138 of the First District; and the sum of six hundred dollars (\$600) per annum, for the payment
 139 of the salary of a librarian, to be paid quarterly, upon the order of at least two of the judges
 140 of said court.

141 *Twenty-first*—The sum of fifty dollars (\$50), or so much thereof as may be necessary for
 142 the payment of bail at the next session of the court of claims, payable upon the order of
 143 the judges thereof.

144 *Twenty-second*—For public printing, thirty thousand dollars (\$30,000), or so much
 145 thereof as may be required. For public binding, ten thousand dollars (\$10,000) per
 146 annum, or so much thereof as may be required. The public printing and binding to be
 147 paid for according to the contract, upon the certificate of the Board of Commissioners of
 148 State Contracts, and approved by the Governor.

149 *Twenty-third*—The sum of fifty-seven thousand dollars (\$57,000) per annum, or so
 150 much thereof as may be necessary, to pay the interest on the school fund, distributed
 151 annually in pursuance of law; the amount appropriated under this clause to be paid out of
 152 the State school fund.

153 *Twenty-fourth*—Such sums as may be necessary to refund the taxes on real estate sold
 154 or paid in error, and for over payments of collector's accounts, under laws governing such
 155 cases, to be paid out of the proper funds.

156 *Twenty-fifth*—For laborers, janitors and watchmen of the State House who shall per-
 157 form such duties as shall be assigned to them by the Secretary of State, the sum of six
 158 thousand dollars (\$6,000) per annum, payable monthly upon the order of said Secretary of
 159 State.

160 *Twenty-sixth*—For the salary of the curator of the Illinois State Historical Library and
 161 Natural History Museum, the sum of two thousand dollars (\$2,000) per annum, and for
 162 the salary of one assistant, the sum of six hundred dollars (\$600) per annum, and
 163 for a janitor, the sum of six hundred dollars (\$600) per annum, payable monthly.
 164 For the contingent and necessary expenses of the curator, including traveling
 165 on business connected with his office, the sum of three hundred dollars (\$300) per annum,
 166 and for new cases for the museum, the sum of twenty-five hundred dollars (\$2,500), payable
 167 on bills for work done, and approved by the Board of Trustees of the State Historical
 168 Library and Natural History Museum.

169 *Twenty-seventh*—To the Railroad and Warehouse Commissioners, for the incidental
 170 expenses of their office, including care, stationery, postage and telegraphing expenses, ex-
 171 tra clerk hire, and for the secretary's salary, and for all necessary expenditures except those
 172 hereinafter provided for, a sum not to exceed five thousand dollars (\$5,000) per annum.
 173 For expenses incurred in suits or investigations commenced by authority of the State, under
 174 any law now in force or hereafter to be enacted, empowering or instructing the board of
 175 commissioners, including the fees of experts employed, the sum of five thousand dollars
 176 (\$5,000) per annum, or such part thereof as may be needed for such purposes. For the

177 printing and publication of schedules of reasonable maximum rates of charges for the trans-
 178 portation of passengers and freights and cars, made or revised for any or all of the railroads
 179 of this State, as provided by law, the sum of two thousand five hundred dollars (\$2,500), or
 180 so much thereof as may be needed for such purpose.

181 *Twenty-eighth*—A sum not to exceed fifty thousand dollars (\$50,000) for the pay of the
 182 employees of the next General Assembly, as allowed them by law, to be paid on pay-rolls,
 183 certified to by the presiding officers of the respective houses, or as otherwise provided by
 184 law.

185 *Twenty-ninth*—For copying the laws, journals and joint resolutions of the General
 186 Assembly, as provided by law, five hundred dollars (\$500). For distribution of the laws,
 187 journals and other State documents, and incidental expenses connected therewith, the sum
 188 of five hundred dollars (\$500); and for expressage and postage on same, five hundred dol-
 189 lars (\$500).

190 *Thirtieth*—For heating, fuel and pay of engineers and firemen of the State House, and
 191 other incidental expenses thereof, the sum of ten thousand dollars (\$10,000) per annum, or
 192 so much thereof as may be needed. For lighting the State House and other incidental ex-
 193 penses thereof, the sum of four thousand dollars (\$4,000) per annum, or so much thereof as
 194 may be necessary, to be paid upon bills of particulars, certified to by the Secretary of State
 195 and approved by the Governor.

196 *Thirty-first*—To the State Board of Equalization, for paying expenses, a sum not to ex-
 197 ceed eight thousand dollars (\$8,000) per annum, payable in the manner provided by law.

198 *Thirty-second*—The sum of two hundred and fifty dollars (\$250) per annum, for the pur-
 199 chase of books for the library of the Southern Illinois Penitentiary, at Chester, to be paid
 200 upon bills of particulars, having the order of the Governor endorsed thereon.

201 *Thirty-third*—The sum of two hundred and fifty dollars (\$250) per annum, for the pur-
 202 chase of books for the library of the Illinois State Penitentiary, at Joliet, to be paid upon
 203 bills of particulars, having the order of the Governor endorsed thereon.

204 *Thirty-fourth*—Such sum as may be necessary to enable the Secretary of State to pur-
 205 chase such volumes of the reports of the decisions of the Supreme Court as he is or may be
 206 required by law to purchase, to be paid on bills of particulars, certified to by the Secretary
 207 of State and approved by the Governor.

208 *Thirty-fifth*—The sum of twenty-five hundred dollars (\$2,500), or so much thereof as
 209 may be required, for repairs and necessary improvements in the heating department of the
 210 State House, to be paid upon bills of particulars, certified to by the Secretary of State and
 211 approved by the Governor.

212 *Thirty-sixth*—To the State Board of Health, for salary of secretary, a sum not to exceed
 213 thirty-five hundred dollars (\$3,500) per annum; for necessary office expense, including
 214 expenses incurred in attending meetings of the board, and in making sanitary inspections,
 215 two thousand dollars (\$2,000) per annum; for salary of assistant secretary, and additional
 216 clerk hire that may be needed, five thousand dollars (\$5,000) per annum. Also, the sum of
 217 five thousand dollars (\$5,000) as a contingent fund, to be used only with the consent and
 218 concurrence of the Governor, in case of the outbreak or threatened outbreak of any epidemic
 219 or malignant disease, such as yellow fever, cholera, etc., to defray the expenses of the Board
 220 of Health in investigating the causes of such diseases, and in aiding to prevent their spread;
 221 to be paid upon the order of the State Board of Health, signed by the president of the board
 222 and attested by the secretary.

223 *Thirty-seventh*—To the State Library (Secretary of State), for the purchase of books and
 224 expenses of the State Library, two thousand five hundred dollars (\$2,500) per annum, pay-
 225 able on bills certified by the board of commissioners of the State Library. Also, eight
 226 hundred dollars (\$800) per annum, for salary of assistant librarian, payable monthly, on the
 227 order of the Secretary of State, approved by the Governor.

228 *Thirty-eighth*—The sum of one million dollars (\$1,000,000) annually, out of the State
 229 school fund, to pay the amount of the Auditor's orders for the distribution of said fund to
 230 the several counties. The Auditor shall issue his warrants on the proper evidence that the
 231 amount distributed has been paid to the county school superintendents.

232 *Thirty-ninth*—To the Commissioners of Labor Statistics, the sum of three thousand dol-
 233 lars (\$3,000) per annum, or so much thereof as may be necessary for the current expenses of
 234 the board in procuring statistics; and the sum of two thousand (\$2,000) dollars per annum
 235 for the salary of their Secretary.

236 *Fortieth*—The sum of five thousand dollars (\$5,000) per annum, or so much thereof as
 237 may be necessary, to the Fish Commissioners of this State, to be used by them in pur-
 238 suance of law; all expenditures to be upon bills of particulars, certified to by a major-
 239 ity of the commissioners, and approved by the Governor.

240 *Forty-first*—A sum not exceeding five thousand dollars (\$5,000) to pay the expenses of
 241 committees of the Thirty-fourth General Assembly, such expenses to be certified as may
 242 be provided by resolution of either house."

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his war-
 2 rant on the State Treasurer for the sums herein specified, upon the presentation of proper
 3 vouchers, and the State Treasurer shall pay the same out of the proper funds in the treasury
 4 not otherwise appropriated. Said warrants shall be drawn in favor of and payable to the
 5 order of the persons entitled thereto.

AMENDMENTS BY THE COMMITTEE ON APPROPRIATIONS TO SENATE BILL NO. 274.

Amend section one (1), clause four (4), by striking out the word and figure "seven
 2 (7)," and inserting in lieu thereof the word and figure "six."

3 Amend clause fifth, by striking out the words and figures "three thousand," and in-
 4 serting in lieu thereof the words and figures "twenty-five hundred."

5 Amend clause twelfth, by striking out the words and figures "two thousand (2,000),"
 6 and insert in lieu thereof the words and figures "one thousand eight hundred (\$1,800)."

7 Amend by inserting after the word order, in the thirteenth clause, the following, viz:
 8 "To the Adjutant General, "three thousand dollars (\$3,000), for indexing war records."
 9 Add to clause thirteen the following, viz: "To the Adjutant General, for extra services in
 10 the preparation of the record of the services of Illinois soldiers in the Black Hawk and
 11 Mexican wars, the sum of five hundred dollars." For repairs on the arsenal and storehouse
 12 belonging to the State, the sum of four hundred dollars (400).

13 Strike out the proviso in clause thirteen.

14 Amend clause twenty, by striking out of lines eight and nine of said clause of written
 15 bill, the words and figures "two thousand five hundred," and insert in lieu thereof the
 16 words and figures "three thousand."

17 Also amend said clause, by striking out in line twenty-one the words "and southern," and
 18 by striking out of line twenty-two the word "each."

19 Also amend said clause, by inserting after the word "per annum," in line twenty-five of

20 written bill, the words "To the Southern Grand Division, the sum of three hundred dollars
 21 (\$300), per annum."

22 Also amend said clause, by striking out the words and figures "sixty-two," in lines forty-
 23 five and six, of said clause of said bill, and inserting in lieu thereof the words and figures
 24 "forty-five."

25 Also, amend said clause, by striking out of line (51) fifty-one and fifty-two (5), of said
 26 clause, the words and figures "one thousand (\$1,000)," and inserting in lieu thereof the
 27 words and figures "eight hundred."

28 Also amend said clause, by striking out the fifty-eighth, fifty-ninth, sixtieth (60), sixty-first
 29 lines, up to and including the word "districts," in the sixty-second line, and inserting in lieu
 30 thereof the following, viz: "Also the sum of four hundred (\$400) dollars per annum to each
 31 of the Second and Third districts, and the sum of three hundred dollars (\$300) per annum
 32 to the Fourth District.

33 Also amend by striking out all of clause twenty, after the word "district," in the sixty-
 34 seventh line of said clause.

35 Amend clause twenty-seven, by striking out, in lines eight and nine of said clause in
 36 written bill, the word and figure "five," and inserting the word and figure four.

37 Amend by inserting after the word "thereof," in line four of the thirtieth clause of the
 38 written bill the following, viz: "Including running expenses for elevator throughout the
 39 year." Strike out the words and figures "ten thousand dollars," in lines four and five of
 40 said clause, and insert in lieu thereof the words and figures "eleven thousand, five hundred
 41 (\$11,500) dollars."

42 Amend clause thirty-sixth, by striking out the words and figures "thirty-five hundred
 43 (\$3,500.)" and inserting in lieu thereof the words and figures "three thousand," in lines three
 44 and four of said clause of written bill.

45 Amend clause forty-one, by striking out the word and figure "five (5)," and inserting in
 46 lieu thereof the word and figure "three (3)," in line two of said clause of written bill.

47 Amend by adding as clause forty-two (42), of section one, of said bill, the following, viz:
 48 "For the purpose of carrying out the provisions of an act entitled An Act to suppress and
 49 prevent the spread of pleuro pneumonia among cattle," approved May 31, 1881, the sum of
 50 eight thousand dollars (\$8,000), or so much thereof as may be necessary, to be expended in
 51 accordance with the provisions of said act.

HOUSE AMENDMENTS TO SENATE BILL NO. 274.

First clause—Amend by striking out “three thousand (\$3,000),” in line 6 of section 1 of printed bill, and inserting in lieu thereof “two thousand (\$2,000).”

Fourth clause—Amend section one (1) clause four (4), by striking out the word and figure “seven (7),” and inserting in lieu thereof the word and figure “six (6).”

Fifth clause—Amend clause fifth, by striking out the words and figures “three thousand (\$3,000),” and inserting in lieu thereof the words and figures “twenty five hundred (\$2,500).” Amend by striking out the words and figures “twenty-five hundred (\$2,500),” and inserting in lieu thereof the words and figures “two thousand (\$2,000).”

Seventh clause—Amend by adding to seventh clause, in line 37, after the “Governor,” the following: “Also, to the Secretary of State the further sum of five hundred and eighty dollars, or so much thereof as may be necessary to be used to pay for cleansing and restoring the pictures and regilding the frames of the five pictures now in the State House, and portraits of Governors now in the Executive Mansion.” Amend, in line 38, before the word “clerk,” insert the word “necessary.”

Eighth clause—Amend, by adding to line 44, printed bill, the following: “Provided, no part of the amounts hereby appropriated shall be used to pay the expenses of the insurance department of said office of Auditor of Public Accounts, and he shall report the annual expenses of said insurance department to each General Assembly hereafter.”

Twelfth clause—Amend clause twelfth, by striking out the words and figures “two thousand \$2,000,” and inserting in lieu thereof the words and figures “one thousand eight hundred (\$1,800).” Amend by inserting the words “lines 65 and 66.” Amend by striking out the word “to,” and inserting the word “by.”

29 *Thirteenth clause*—Amend, by inserting after the word "order," in the
 30 thirteenth clause, viz: "To the Adjutant General three thousand dollars
 31 (\$3,000), for indexing war records." Amend the amendment by inserting in
 32 line 8, after the figures "3,000," the words, "for additional clerk hire."
 33 Amend the amendment by inserting in line 74, after the word
 34 "order," the following: "To the Adjutant-General fifteen hundred
 35 dollars (\$1,500), for additional clerk hire for indexing the war
 36 records in his office concerning the late war of 1861." Amend, "For repairs
 37 on the arsenal and store-house belonging to the State, the sum of four
 38 hundred (\$400)." Amend clause thirteen, by striking out of lines 73 and 74,
 39 the words and figures "four thousand five hundred (\$4,500)," and inserting
 40 in lieu thereof "two thousand five hundred (2,500)." Amend, by adding after
 41 the word "annum," in line 76, the words "payable on bills of particulars,
 42 certified by him and approved by the Governor." Amend lines 75 and 76,
 43 in clause thirteen, by inserting "\$700," in lieu of the words and figures "\$1,000."
 44 Amend paragraph 13, by adding at the end thereof the following: *Provided*,
 45 no part of the money hereby appropriated shall be drawn from the Treasury
 46 except upon vouchers approved by the Governor." Amend by adding after
 47 the word "order," in line 74, clause 13, the following: "*Provided*, that in the
 48 employment of clerks and assistants to carry on the business of the
 49 Adjutant-General's office, preference shall be given to the soldiers of the late
 50 war for the Union, their widows, sons and daughters." Amend, so the
 51 amendment will read, "none but ex-Union soldiers."

52 *Fourteenth clause*—Amend lines 78 and 79, clause 14, by striking out the words
 53 and figures "a sum not to exceed three thousand dollars (\$3,000)," and inserting
 54 in lieu thereof "twenty five hundred dollars (\$2,500)." Amend, by striking out
 55 the words and figures "five thousand dollars (\$5,000)," in line 80, clause 14, and
 56 inserting in lieu thereof "four thousand (\$4,000)." Amend line 81, by inserting
 57 after the word "particulars," the words "certified by them and."

58 *Seventeenth clause*—Amend line 90, by striking out the words and figures
 59 "twenty thousand dollars (\$20,000)," and inserting in lieu thereof the words
 60 and figures "ten thousand dollars (\$10,000)." Amend the amendment by
 61 striking out the words and figures "ten thousand dollars (\$10,000)," and

62 inserting in lieu thereof the words and figures "fifteen thousand dollars
63 (\$15,000)."

64 *Twentieth clause*—Amend said clause, by striking out the words and figures
65 "sixty-two," in lines 45 and 46 of said clause, of said bill, and inserting in
66 lieu thereof the words and figures "forty-five (45)." Also, amend said clause,
67 by striking out of lines fifty-one (51) and fifty-two (52) of said clause, the
68 words and figures "one thousand (\$1,000)," and inserting in lieu thereof the
69 the words and figures "eight hundred." Also, amend said clause by striking
70 out of the fifty-eighth, fifty-ninth, sixtieth and sixty-first lines up to and including
71 the word "districts," in the sixty-second line, and inserting in lieu thereof
72 the following, viz: "Also, the sum of four hundred dollars (\$400) per annum
73 to each of the second and third districts, and the sum of three hundred
74 dollars (\$300) per annum to the fourth district." Strike out of lines 136 and
75 137, the words and figures "eight thousand dollars (\$8,000)," and insert "six
76 thousand (\$6,000)."

77 *Twenty-sixth clause*—Amend in line 166, by striking out the words and
78 figures "twenty-five hundred dollars (\$2,500)," and inserting in lieu thereof
79 the words and figures "one thousand dollars (\$1,000)."

80 *Twenty-seventh clause*—Amend clause 27, by striking out in lines 8 and 9 of
81 said clause, in written bill, the word and figure "five," and inserting the word
82 and figure "four."

83 *Forty-first clause*—Amend clause forty-one, by striking out the word and
84 figure "five (5)," and inserting in lieu thereof the word and figure "three
85 (3)," in line 2, of said clause of written bill.

86 *Forty-second clause*—Amend, by adding as clause forty-two (42), of section
87 one of said bill, the following, viz: "For the purpose of carrying out the
88 provisions of an act entitled 'An act to suppress and prevent the spread of
89 pleuro-pneumonia among cattle,' approved May 31, 1881, the sum of eight
90 thousand dollars (\$8,000), or so much thereof as may be necessary, to be
91 expended in accordance with the provisions of said act.

92 Amend clause thirty-six, by striking out the words and figures "thirty-five
93 hundred (\$3,500)," and inserting in lieu thereof the words and figures "three

94 thousand," in lines 3 and 4. of said clause of written bill. Amend the
95 amendment by striking out "three thousand," and inserting in lieu thereof
96 "two thousand." Amend by striking out the words and figures "five thousand
97 dollars (\$5,000)," in line 216, and inserting in lieu thereof the words and
98 figures "fifteen hundred (\$1,500)."

ADOPTED BY THE COMMITTEE ON CONFERENCE.

Ameud clause thirty-six (36), lines 3 and 4 of written bill: strike out "thirty-
2 five hundred dollars (\$3,500)," and insert "three thousand dollars (\$3,000.)
3 Lines 10 and 11: strike out "five thousand dollars (\$5,000)," and insert "four
4 thousand dollars (\$4,000)."

1. Introduced by Mr. Morris, February 28, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to Committee on Judiciary.
3. Reported back March 9, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to Fines, Forfeitures and Penalties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That all fines, forfeitures and penalties imposed or in-
3 curred in any of the courts of record, or before any justice of the peace of
4 this State, except fines, forfeitures and penalties incurred or imposed in
5 incorporated cities, towns or villages, for the violation of the by-laws or
6 ordinances thereof, shall, when collected, be paid to the county treasurer of
7 the county wherein such fines, forfeitures and penalties have been imposed
8 or incurred, who shall give his receipt therefor; and it shall be the duty of
9 the State's attorneys of the several counties to enforce the collection of all
10 fines, forfeitures and penalties imposed or incurred in the courts of record
11 in their several counties, and to pay the same over to the county treasurer,
12 retaining therefrom the fees and commissions allowed them by law; and it
13 shall be the duty of the said justices of the peace to enforce the collection
14 of all fines imposed by them, by any lawful means; and, when collected, to
15 pay the same to the county treasurer; clerks of said courts of record, State's
16 attorneys and justices of the peace, shall report, under oath to the county
17 treasurer, of their respective counties, by the first of March, annually, the
18 amount of such fines, forfeitures and penalties imposed or incurred in their
19 respective courts, and the amount of such fines, forfeitures and penalties
20 collected by them, giving each item separately; and the officer charged with

21 the collection thereof, and said clerks, State's attorneys and justices of the
22 peace, for a failure to make such report shall be liable to a fine of \$25 for
23 each offense, to be recovered in a civil action at the suit of the county
24 treasurer.

§ 2. For a failure to pay any such fines, forfeitures or penalties, on
2 demand, to the county treasurer, the officer having collected the same, or
3 having the same in his possession, shall forfeit and pay double the amount of
4 such fine, forfeiture or penalty, as aforesaid, to be recovered before any court
5 having jurisdiction thereof.

§ 3. All money received by the county treasurer, under sections 1 and 2
2 of this act, shall be by him placed to the credit of the revenue fund, and
3 paid out upon warrants drawn by order of the county board, as are other
4 funds held by him as such officer.

§ 4. All acts and parts of acts inconsistent with the provisions contained
2 in this act, are hereby repealed.

1. Introduced by Mr. Merritt, February 28, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to Committee on Railroads.
3. Reported back March 8, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 74, of an act entitled "An act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same, prescribing and defining the duties, and limiting the powers of such corporations when so organized," approved and in force March 1, A. D. 1872.

Every railroad corporation shall cause its passenger trains to stop, upon
2 their arrival at each station advertised by such corporation as a place for
3 receiving and discharging passengers, a sufficient length of time to receive
4 and let off such passengers with safety.

5 And all the regular passenger trains shall stop at the railroad station in each
6 county seat, whether the same is so advertised or not, and in every
7 township having a population exceeding two thousand inhabitants, in which
8 there are one or more established passenger stations, said corporations shall
9 cause two passenger trains each way in the forenoon, and two passenger
10 trains each way in the afternoon, daily, to stop at at least one station, which
11 shall be properly designated by said corporation in every such township
12 whenever there are passengers to get on or to get off said trains at such
13 stations, *Provided*, said corporations run a sufficient number of passenger
14 trains.

15 And in case of the refusal of any railroad corporation, or its agents, to
16 stop its trains in accordance with the provisions of this section, such corpo-

ration shall pay to the persons aggrieved double the amount of damages sustained thereby, with costs of suit; and, in addition thereto, said corporation shall forfeit the sum of \$25 for each offense, to be recovered in an action of debt in the name of the People of the State of Illinois, such forfeiture to be paid into the school fund of the county in which the offense is committed.

AMENDMENTS TO SENATE BILL NO. 276, PROPOSED BY COMMITTEE ON RAILROADS.

Amend the title so as to read as follows:

A bill for an act to amend section twenty-five, of "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874.

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That section twenty-five, of an act entitled "An act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874, be amended so as to read as follows:

Amend by striking out the word "two," in line 11, of the written bill, after the word "exceeding," and insert in place thereof the word "three."

Amend by adding to the bill the following:

Provided, that the provisions of this act shall not apply to stations erected and used exclusively for the accommodation of passengers upon what are known as suburban trains.

1. Introduced by Mr. Snyder, February 28, 1883, and ordered to first reading.
2. First reading February 28, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back March 6, 1883, passage recommended, and referred to the Committee on Appropriations.
4. Reported back March 9, 1883, by Appropriations Committee, passage recommended, and ordered to second reading.

A BILL

For An Act to aid the Illinois Dairymen's Association in compiling, publishing and distributing their reports.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That the sum of five hundred dollars (\$500) per annum, be
3 and the same is hereby appropriated to aid the Illinois Dairyman's Associa-
4 tion in compiling, publishing and distributing their reports.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his war-
2 rant on the State Treasurer for the sum in this act specified, to the order of the
3 president of said Association, and the State Treasurer shall pay the same out
4 of any funds in the State treasury not otherwise appropriated.

(A Substitute for Senate Bill No. 79.)

1. Introduced by Committee on Judiciary, February 28, 1883, and ordered to first reading.
2. First reading March 2, 1883, and ordered to a second reading.

A BILL

For An Act to amend section nine of an act entitled "An act in regard to judgments and decrees and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section nine (9) of an act entitled "An act in regard to judgments and decrees and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

"Section 9. No execution shall bind the goods and chattels of the person against whom it is issued until it is delivered to the sheriff or other proper officer to be executed; and for the better manifestation of the time, the sheriff or other officer shall, on the receipt of such writ, indorse upon the back thereof the day of the month and year and hour when he received the same, and upon all judgments of a court of record the party in whose favor the same is rendered may, after the rendition of the same, have an execution upon said judgment in term time or vacation by filing an order in writing with the clerk of the court for that purpose."



(Substitute for No. 152.)

1. Introduced by Committee on Appropriations, March 1, 1883, and ordered to first reading.
2. First reading March 1, 1883.
3. Ordered to second reading March 1, 1883.

A BILL

For An Act making an appropriation to the city of Mound City, Pulaski county Illinois, for the purpose of strengthening and improving the levees along the Ohio river at that place.

WHEREAS, the recent floods in the Ohio river have demonstrated the fact that property at many points on said river is constantly in danger of being swept away;

AND WHEREAS, the corporate authorities of Mound City, in Pulaski county, are unable to raise by taxation to prevent the flooding of said town at any unusual rise in the Ohio river, and thus prevent the destruction of large amounts of property thereby; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of eight thousand dollars (\$8,000) be and the same is hereby appropriated out of any money now in the State treasury, not otherwise appropriated, for the purpose of strengthening and improving the levees at said city of Mound City.

§ 2. The above amount shall be in lieu of all claims of Mound City against the State of Illinois by virtue of any law of said State appropriating or allowing said city to appropriate to itself moneys for the purpose of building levees.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his
warrant on the State treasury for the sum of money hereby appropriated,
payable to the treasury of Mound City.

§ 4. The moneys hereby appropriated shall be used for the purposes here-
inbefore set forth, and for no other purpose whatever.

1. Reported to the House March 7, 1883
2. First reading March 7, 1883. and ordered to a second reading.

A BILL

For An Act making an appropriation to the city of Mound City, Pulaski county, Illinois, for the purpose of strengthening and improving the levees along the Ohio river at that place.

WHEREAS, the recent floods in the Ohio river have demonstrated the fact that property at many points on said river is constantly in danger of being swept away;

AND WHEREAS, the corporate authorities of Mound City, in Pulaski county, are unable to raise by taxation to prevent the flooding of said town at any unusual rise in the Ohio river, and thus prevent the destruction of large amounts of property; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the sum of eight thousand dollars (\$8,000) be and the same is hereby appropriated out of any money now in the State treasury, not otherwise appropriated, for the purpose of strengthening and improving the levees at said city of Mound City.

§ 2. The above amount shall be in lieu of all claims of Mound City against the State of Illinois by virtue of any law of said State appropriating or allowing said city to appropriate to itself moneys for the purpose of building levees.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State treasury for the sum of money hereby appropriated, payable to the treasury of Mound City.

§ 4. The moneys hereby appropriated shall be used for the purposes hereinbefore set forth, and for no other purpose whatever.

(A substitute for Senate Bills Nos. 19 and 154.)

1. Introduced by Committee on Fees and Salaries, March 1, 1883, and ordered to first reading.
2. First reading March 2, 1883, and ordered to second reading.

A BILL

For An Act to amend sections one (1) and two (2) of an act entitled "An act to fix the pay of members of the General Assembly after its first session under the present constitution," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That sections one (1) and two (2) of an act entitled "An
3 act to fix the pay of members of the General Assembly after its first session
4 under the present constitution," approved March 29, 1872, in force July 1,
5 1872, be and the same is hereby amended so as to read as follows:

6 "Section 1. *Be it enacted by the People of the State of Illinois, represented in the*
7 *General Assembly,* That, until otherwise provided by law, each member of the
8 General Assembly shall receive for his services the sum of eight hundred
9 dollars (\$800) per session for regular sessions, and the sum of five dollars (\$5)
10 per day during each special session; and for each session, ten cents for each
11 mile necessarily traveled in going to and returning from the seat of govern-
12 ment, to be computed by the Auditor of Public Accounts; and also the sum
13 of fifty dollars (\$50) per session to each member, which shall be in full for
14 postage, stationery, newspapers, and all other incidental expenses and per-
15 quisites, and no more.

16 "Section 2. The pay and mileage allowed each member of the General
17 Assembly shall be certified by the President of the Senate and the Speaker

18 of the House of Representatives, respectively, as follows: The fifty dollars
19 (\$50) allowed in full of stationery, etc., as soon as practicable after the two
20 houses shall have organized; the salary, one hundred dollars (\$100) at the
21 expiration of every twenty days, until the amount thereof shall be paid,
22 and if any part thereof remains unpaid on the final adjournment of the
23 session, then such balance, together with the mileage allowed, shall in like
24 manner be certified, and entered on the journals, and published at the close
25 of each session."

1. Introduced by Mr. Thorn, March 1, 1883, and ordered to first reading.
2. First reading March 2, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back March 9, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section sixteen (16), of an act entitled "An act to revise the law in regard to estrays and other lost property," approved March 23, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly,* That section sixteen, of an act entitled "An act to revise
3 the law in regard to estrays and other lost property," approved March 23,
4 1874, in force July 1, 1874, be, and the same is hereby amended so as to read
5 as follows:

6 "Section 16. If the estray is a horse, mule or ass, or head of neat cattle,
7 and the owner does not appear within six months and claim the same, and pay
8 charges and expenses, or if the estray is a swine, sheep or goat, and the
9 owner does not appear within two months and claim the same, and pay
10 charges and expenses, the taker up shall notify the justice before whom the
11 proceedings were had, who shall proceed to sell such estray at public vendue
12 to the highest bidder, after having given twenty days' notice of such sale,
13 by posting up notices in at least three of the most public places in his town
14 or precinct."

1. Introduced by Mr. Sunderland, March 1, 1883, and ordered to first reading.
2. First reading March 1, 1883, and referred to Committee on Judiciary.
3. Reported back March 2, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section fifteen (15) of an act entitled "An act to revise the law in relation to county treasurer," approved February 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section fifteen (15) of an act entitled "An act to revise the law in relation to county treasurer," approved February 25, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:*

"Section 15. If any county treasurer shall neglect or refuse to render an account or make settlement at any time when required by law, or by the county board, or refuse to answer any question propounded to him by the county board, or is a defaulter and in arrears with the county, or is guilty of any other misconduct in his office, the county board may remove him from office, and may appoint some suitable person to perform the duties of treasurer until his successor is elected or appointed and qualified, (or if by reason of the death or resignation of the county treasurer, or other cause, the said office shall become vacant, then the county board may appoint some suitable person to perform the duties of treasurer until a county treasurer is elected or appointed and qualified). The person so appointed shall give bond and security as required by law of the county treasurer."

§ 2. Whereas, there is no provision in the law concerning the office of county treasurer authorizing the filling of a vacancy in said office on the

3 death or resignation of said officer until the election and qualification of
4 his successor, therefore an emergency exists, and this act shall take effect
5 and be in force from and after its passage.

AMENDMENT TO SENATE BILL NO. 293, PROPOSED BY THE COM-
MITTEE ON JUDICIARY.

Amend by adding after the word "qualified" at the bottom of page one
2 of the bill, the words "as now provided by law."

-
1. Introduced by Mr. Tanner, March 1, 1883, and ordered to first reading.
 2. First reading, March 2, 1883, and referred to Committee on Judiciary.
 3. Reported back March 23, 1883. Passage recommended, and ordered to second reading.

A BILL

For An Act entitled an act to repeal an act entitled "An act to incorporate the
Heyworth School District."

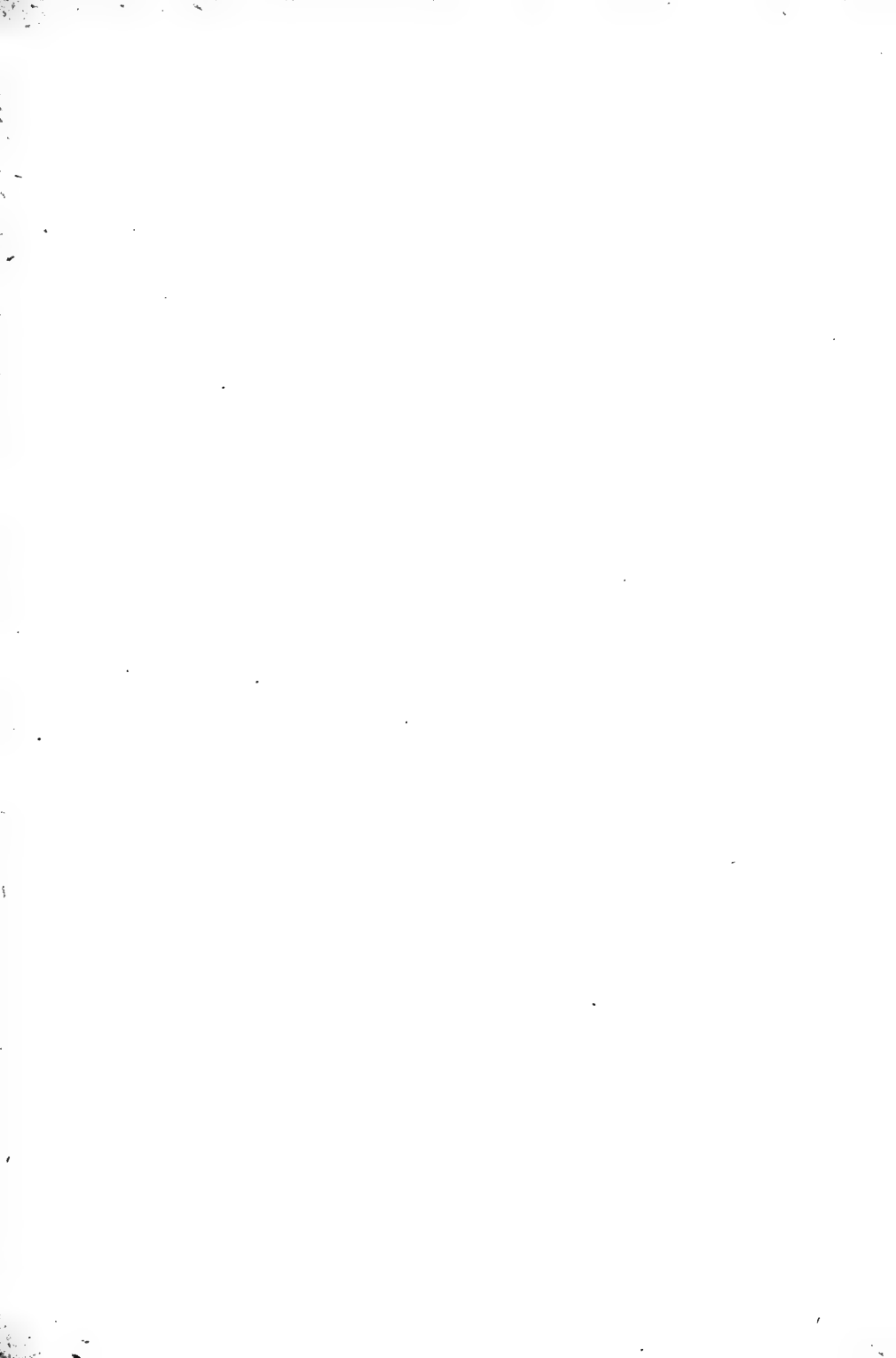
- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That an act entitled "An act to incorporate the Heyworth
3 School District," approved March 5, 1867, be and the same is hereby repealed.

-
1. Reported to House May 18, 1883.
 2. First reading May 26, 1883, and ordered to second reading.

A BILL

For An Act entitled an act to repeal an act entitled "An act to incorporate the Heyworth School District."

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly:* That an act entitled "An act to incorporate the Heyworth
- 3 School District," approved March 5, 1867, be, and the same is hereby repealed.



1. Introduced by Mr. Shaw, March 1, 1883, and ordered to first reading.
2. First reading March 2, 1883, and referred to Committee on Corporation.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Judiciary.
4. Reported back May 11, 1883, passage recommended and ordered to second reading.

A BILL

For An Act to amend sections one, four and eight of "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections one, four and eight of "An act to provide for
3 changing the names, for changing the places of business, for increasing or decreas-
4 ing the capital stock, for increasing or decreasing the number of directors,
5 and for the consolidation of incorporated companies," approved and in force
6 March 26, 1872, be amended, to read as follows:

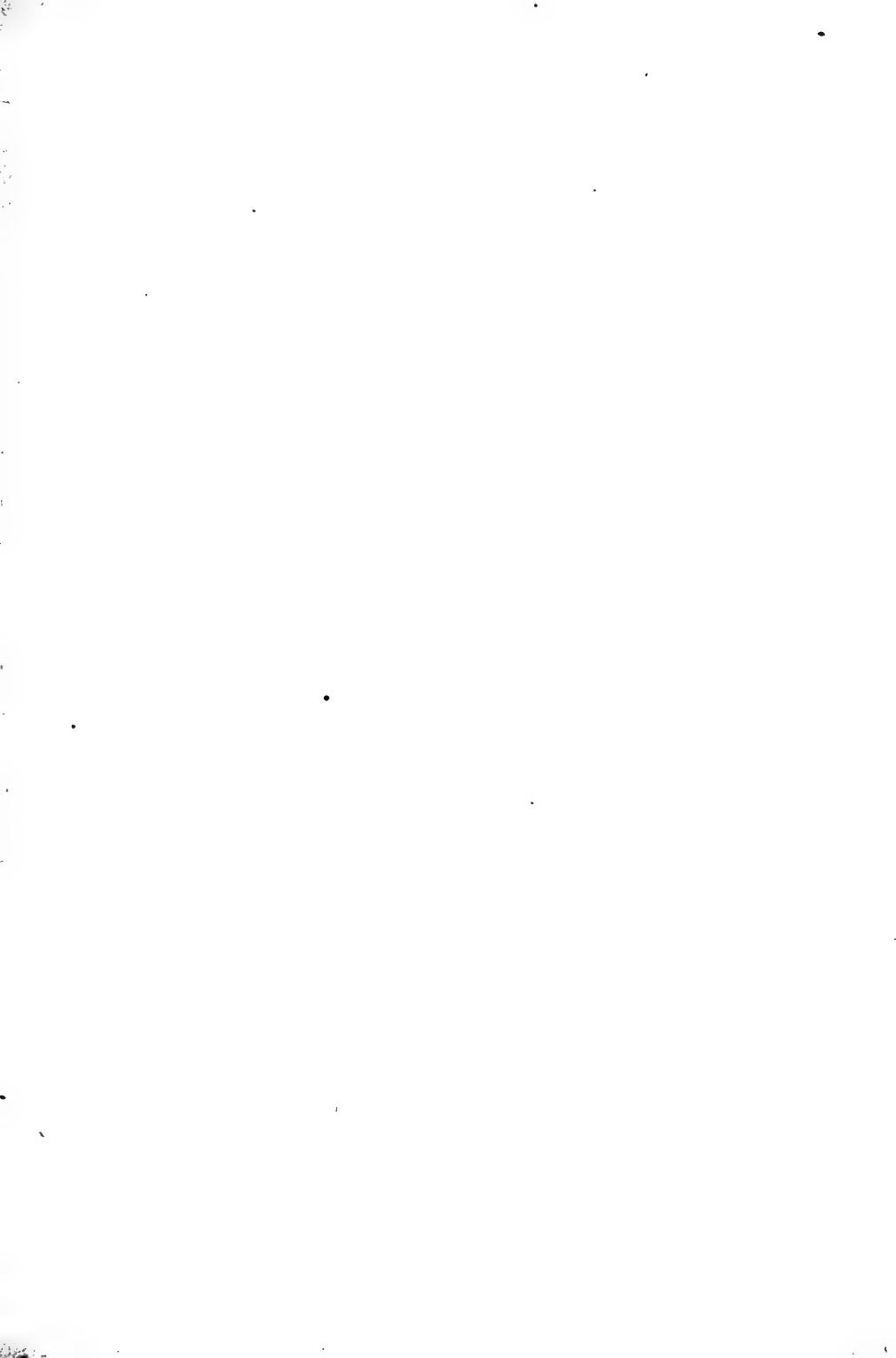
7 "Section 1. *Be it enacted by the People of the State of Illinois, represented in the*
8 *General Assembly:* That whenever the board of directors, managers or trustees
9 of any corporation existing by virtue of any general or special law of this
10 State, or any corporation hereafter organized by virtue of any law of this
11 State, may desire to change the name, to change the place of business, to
12 increase or decrease the capital stock, to increase or decrease the number of direc-
13 tors, managers or trustees, or to consolidate said corporation with any other corpo-
14 ration now existing, or which may hereafter be organized, they may call a special
15 meeting of the stockholders of such corporation, for the purpose of submitting to a
16 vote of such stockholders the question of such change of name, change of place of

17 business, increase or decrease of number of directors, managers or trustees,
 18 increase or decrease of capital stock, or consolidation with some other cor-
 19 poration, as the case may be: *Provided*, that in changing the name of any
 20 corporation, under the provisions hereof, no name shall be assumed or
 21 adopted by any corporation similar to or liable to be mistaken for, the name
 22 of any other corporation organized under the laws of this State, or of any
 23 corporation organized under the laws of any other State, who shall have
 24 filed with the Secretary of State a certified copy of its certificate of organiza-
 25 tion, without the consent of such other corporation, and that in no case
 26 shall the capital stock be diminished to the prejudice of the creditors of such
 27 corporation, or the number of directors, managers or trustees be reduced to
 28 less than five, or increased to more than eleven: *And provided, further*, that
 29 no corporation shall, by virtue hereof, change its place of business from any
 30 town, county or municipality, where such town, county or municipality, or
 31 any of the inhabitants thereof, or any person or persons interested therein,
 32 shall have donated or in any manner contributed any money or other valu-
 33 able thing to induce such corporation to locate in such town, county or
 34 municipality: *And provided, further*, that the provisions of this act in
 35 reference to the consolidation of corporations shall only apply to corpor-
 36 ations of the same kind engaged in the same general business, and carrying
 37 on their business in the same vicinity, and that no more than two corpor-
 38 ations now existing shall be consolidated into one, under the provisions
 39 thereof.

40 "Section 4. If, at any regular annual meeting, or at the time and place specified
 41 in said notice of a special meeting, called for that purpose, said propositions,
 42 or any of them, be submitted to a vote, and if it shall appear that two-thirds
 43 of all the votes represented by the whole stock of such corporation are in
 44 favor of the propositions, or of any of them, so submitted, a certificate
 45 thereof, verified by the affidavit of the president and under seal of said
 46 corporation, shall be filed in the office of the Secretary of State, and a like
 47 certificate filed for record in the office of the recorder of deeds of the county
 48 where the principal business office of such corporation is located, and upon

49 the filing of said certificate, the changes proposed and voted for at such
50 meeting, as to name, place of business, increase or decrease of capital stock,
51 or number of directors, managers or trustees, or consolidation with some other
52 company, shall be and is hereby declared accomplished in accordance with
53 said vote of the stockholders, and the Secretary of State shall thereupon
54 issue to such corporation a certificate under seal, setting forth the changes
55 accomplished, the fee for filing the certificate of the changes accomplished,
56 and the issuing of the certificate by the Secretary of State shall be five
57 dollars, payable in advance: *And provided, further,* that any corporation, other
58 than corporations for manufacturing purposes, availing itself of, or accepting
59 the benefits of, or formed under, this act (except the mere change of name),
60 shall be subject to the general laws of this State, now in force, or which
61 may hereafter be passed, regulating corporations of like character.

62 "Section 8. Whenever any railroad corporation of this State shall desire
63 to consolidate with any other railroad corporation either of this or of another
64 State by virtue of the provisions of this act, a notice as provided by section 2-
65 of this act, shall be given at least sixty days before the time fixed for such
66 meeting, and a general notice, as provided by said section 2, shall be pub-
67 lished for six successive weeks: *Provided,* that railroad corporations shall
68 not consolidate their stock property or franchises with any other railroad
69 corporation owning a parallel or competing line."



1. Introduced by Mr. Shaw, March 1, 1883, and ordered to first reading.
2. First reading March 2, 1883, and referred to Committee on Corporation.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Judiciary.
4. Reported back May 11, passage recommended, and ordered to second reading.
5. Second reading May 31, 1883, and ordered to third reading.

A BILL

For An Act to amend sections one, four and eight of "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections one, four and eight of "An act to provide for
3 changing the names, for changing the places of business, for increasing or decreas-
4 ing the capital stock, for increasing or decreasing [the] number of directors,
5 and for the consolidation of incorporated companies," approved and in force
6 March 26, 1872, be amended, to read as follows:

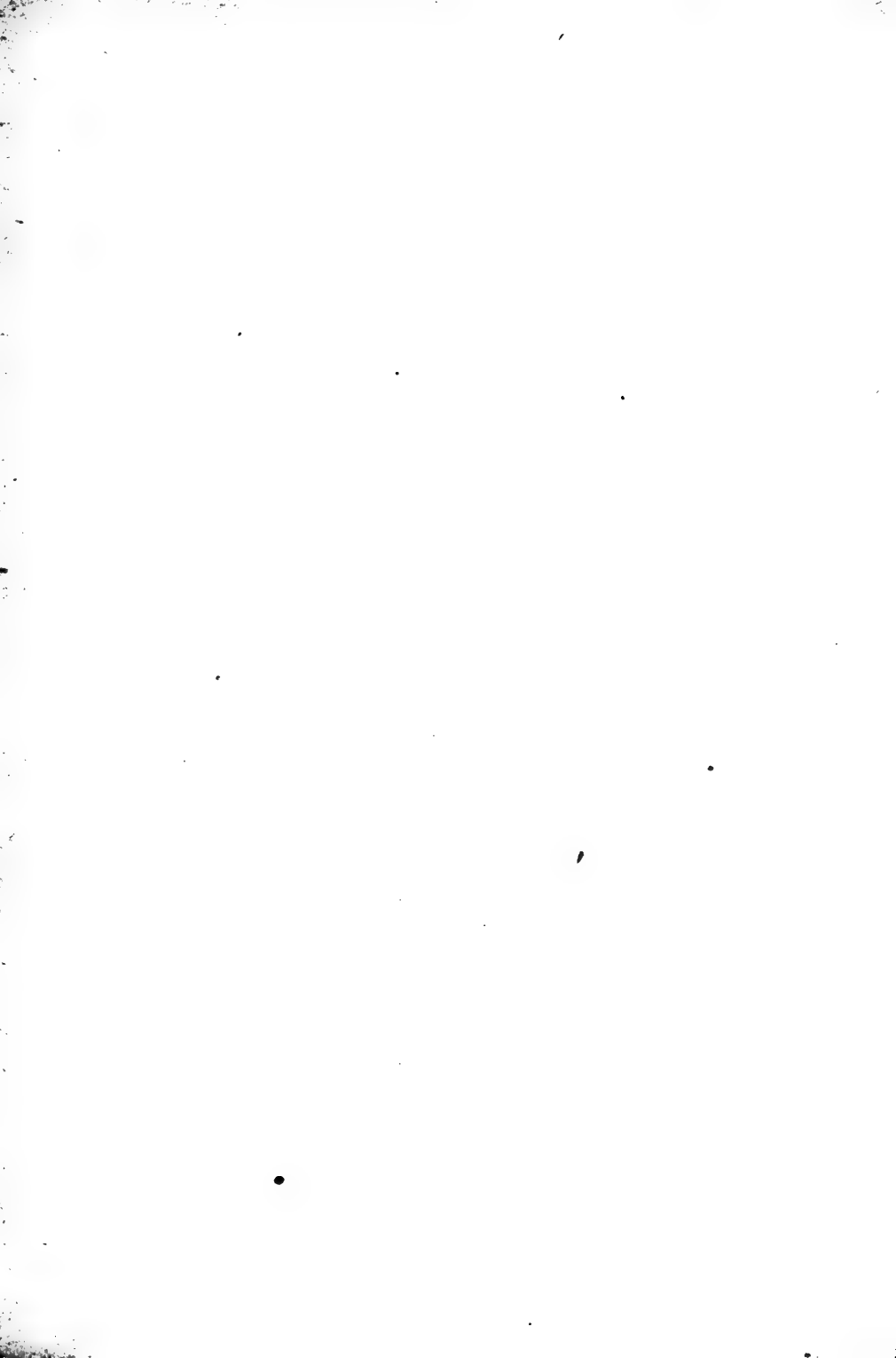
7 "Section 1. *Be it enacted by the People of the State of Illinois, represented in the*
8 *General Assembly:* That whenever the board of directors, managers or trustees
9 of any corporation existing by virtue of any general or special law of this
10 State, or any corporation hereafter organized by virtue of any law of this
11 State, may desire to change the name, to change the place of business, to
12 increase or decrease the capital stock, to increase or decrease the number of direc-
13 tors, managers or trustees, or to consolidate said corporation with any other corpo-
14 ration now existing, or which may hereafter, be organized, they may call a special
15 meeting of the stockholders of such corporation, for the purpose of submitting to a

16 vote of such stockholders the question of such change of name, change of place of
 17 business, increase or decrease of number of directors, managers or trustees,
 18 increase or decrease of capital stock, or consolidation with some other cor-
 19 poration, as the case may be: *Provided*, That in changing the name of any
 20 corporation, under the provisions hereof, no name shall be assumed or
 21 adopted by any corporation similar to, or liable to be mistaken for, the name
 22 of any other corporation organized under the laws of this State, or of any
 23 corporation organized under the laws of any other State, who shall have
 24 filed with the Secretary of State a certified copy of its certificate of organiza-
 25 tion, without the consent of such other corporation, and that in no case
 26 shall the capital stock be diminished to the prejudice of the creditors of such
 27 corporation, or the number of directors, managers or trustees be reduced to
 28 less than five, or increased to more than eleven: *And provided, further*, that
 29 no corporation shall, by virtue hereof, change its place of business from any
 30 town, county or municipality, where such town, county or municipality, or
 31 any of the inhabitants thereof, or any person or persons interested therein
 32 shall have donated or in any manner contributed any money or other valu-
 33 able thing to induce such corporation to locate in such town, county or
 34 municipality: *And provided, further*, that the provisions of this act in
 35 reference to the consolidation of corporations shall only apply to corpor-
 36 ations of the same kind engaged in the same general business, and carrying
 37 on their business in the same vicinity, and that no more than two corpor-
 38 ations now existing shall be consolidated into one, under the provisions
 39 thereof.

40 "Section 4. If, at any regular annual meeting, or at the time and place specified
 41 in said notice of a special meeting, called for that purpose, said propositions,
 42 or any of them, be submitted to a vote, and if it shall appear that two-thirds
 43 of all the votes represented by the whole stock of such corporation are in
 44 favor of the propositions, or of any of them, so submitted, a certificate
 45 thereof, verified by the affidavit of the president and under seal of said
 46 corporation, shall be filed in the office of the Secretary of State, and a like
 47 certificate filed for record in the office of the recorder of deeds of the county

48 where the principal business office of such corporation is located, and upon
49 the filing of said certificate, the changes proposed and voted for at such
50 meeting, as to name, place of business, increase or decrease in capital stock,
51 or number of directors, managers or trustees, or consolidation with some other
52 company, shall be and is hereby declared accomplished in accordance with
53 said vote of the stockholders, and the Secretary of State shall thereupon
54 issue to such corporation a certificate under seal, setting forth the changes
55 accomplished, the fee for filing the certificate of the changes accomplished,
56 and the issuing of the certificate by the Secretary of State shall be five
57 dollars, payable in advance: *And provided, further*, that any corporation, other
58 than corporations for manufacturing purposes, availing itself of, or accepting
59 the benefits of, or formed under, this act (except the mere change of name),
60 shall be subject to the general laws of this State, now in force, or which
61 may hereafter be passed, regulating corporations of like character.

62 'Section 8. Whenever any railroad corporation of this State shall desire
63 to consolidate with any other railroad corporation either of this or of another
64 State by virtue of the provisions of this act, a notice as provided by section 2
65 of this act, shall be given at least sixty days before the time fixed for such
66 meeting, and a general notice, as provided by said section 2, shall be pub-
67 lished for six successive weeks: *Provided*, that railroad corporations shall
68 not consolidate their stock property or franchises with any other railroad
69 corporation owning a parallel or competing line."



1. Reported to House June 8, 1883.
2. First reading June 11, 1883, and ordered to second reading.

A BILL

For An Act to amend sections one, four and eight of "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," approved and in force March 26, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections one, four and eight of "An act to provide
3 for changing the names, for changing the places of business, for increasing
4 or decreasing the capital stock, for increasing or decreasing the number of
5 directors, and for the consolidation of incorporated companies," approved and
6 in force March 26, 1872, be amended, to read as follows:

7 "Section 1. *Be it enacted by the People of the State of Illinois, represented in the*

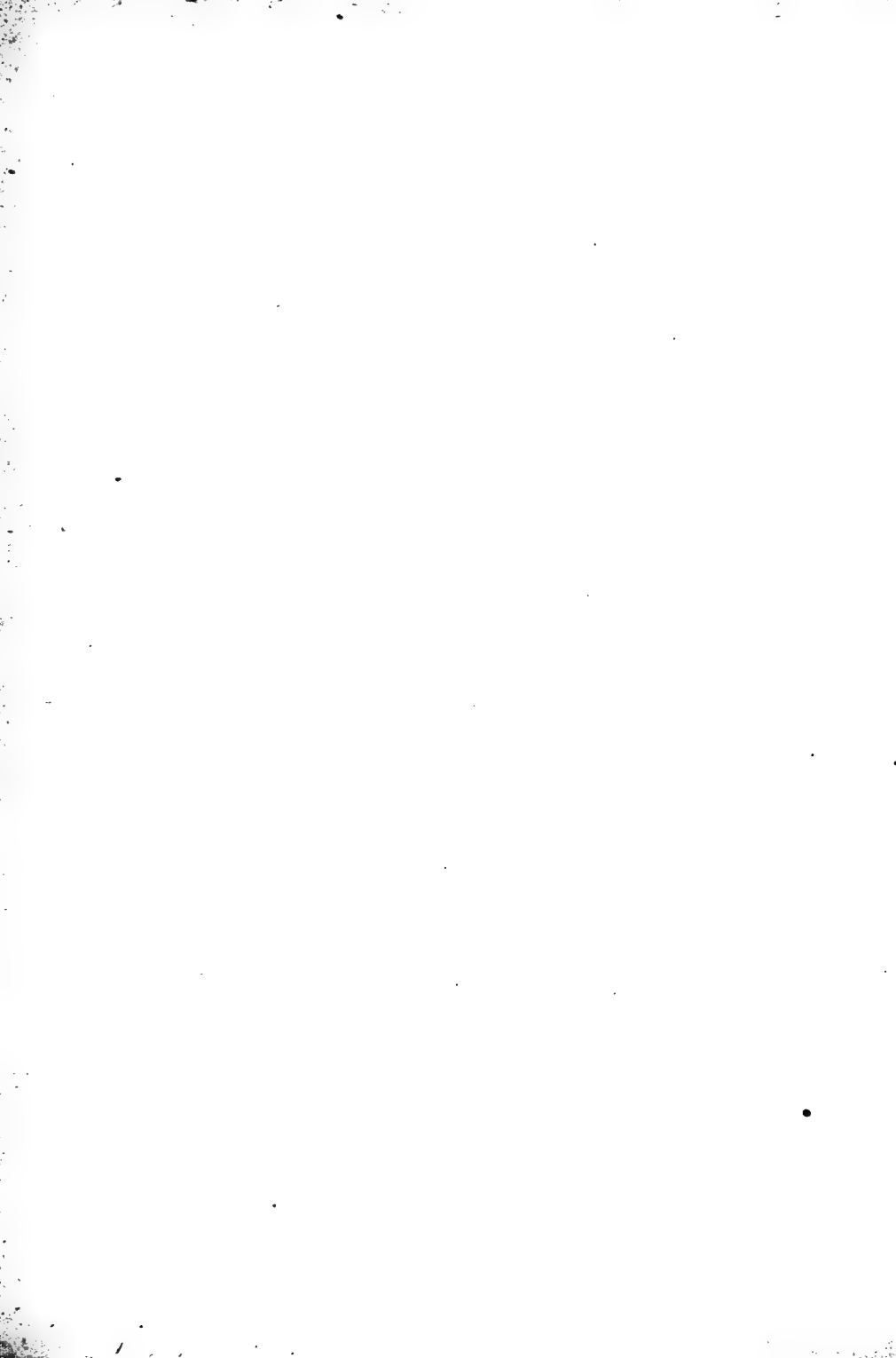
8 *General Assembly:* That whenever the board of directors, managers or trustees
9 of any corporation existing by virtue of any general or special law of this
10 State, or any corporation hereafter organized by virtue of any law of this
11 State, may desire to change the name, to change the place of business, to
12 increase or decrease the capital stock, to increase or decrease the number of di-
13 rectors, managers or trustees, or to consolidate said corporation with any other
14 corporation now existing, or which may hereafter be organized, they may
15 call a special meeting of the stockholders of such corporation, for the pur-
16 pose of submitting to a vote of such stockholders the question of such change
17 of name, change of place of business, increase or decrease of number of di-
18 rectors, managers or trustees, increase or decrease of capital stock, or consoli-

19 dation with some other corporation, as the case may be: *Provided*, that in
 20 changing the name of any corporation, under the provisions hereof, no name
 21 shall be assumed or adopted by any corporation similar to, or liable to be mis-
 22 taken for, the name of any other corporation organized under the laws of this
 23 State, or of any corporation organized under the laws of any other State, who
 24 shall have filed with the Secretary of State a certified copy of its certificate of
 25 organization, without the consent of such other corporation, and that in no case
 26 shall the capital stock be diminished to the prejudice of the creditors of such
 27 corporation, or the number of directors, managers or trustees be reduced to
 28 less than five, or increased to more than eleven: *And provided, further* that
 29 no corporation shall, by virtue hereof, change its place of business from any
 30 town, county or municipality, where such town, county or municipality, or
 31 any of the inhabitants thereof, or any person or persons interested therein,
 32 shall have donated or in any manner contributed any money or other valua-
 33 ble thing to induce such corporation to locate in such town, county or
 34 municipality: *And provided, further*, that the provisions of this act in
 35 reference to the consolidation of corporations shall only apply to corpora-
 36 tions of the same kind engaged in the same general business, and carrying
 37 on their business in the same vicinity, and that no more than two corpora-
 38 tions now existing shall be consolidated into one, under the provisions
 39 thereof.

40 "Section 4. If, at any regular annual meeting, or at the time and place
 41 specified in said notice of a special meeting, called for that purpose, said proposi-
 42 tions, or any of them, be submitted to a vote, and if it shall appear that two-thirds
 43 of all the votes represented by the whole stock of such corporation are in
 44 favor of the propositions or of any of them, so submitted, a certificate
 45 thereof, verified by the affidavit of the president and under the seal of said
 46 corporation, shall be filed in the office of the Secretary of State, and a like
 47 certificate filed for record in the office of the recorder of deeds of the county
 48 where the principal business office of such corporation is located, and upon
 49 the filing of said certificate, the changes proposed and voted for at such
 50 meeting, as to name, place of business, increase or decrease of capital stock .

51 or number of directors, managers or trustees, or consolidation with some other
52 company, shall be and is hereby declared accomplished in accordance with
53 said vote of the stockholders, and the Secretary of State shall thereupon
54 issue to such corporation a certificate under seal, setting forth the changes
55 accomplished, the fee for filing the certificate of the changes accomplished,
56 and the issuing of the certificate by the Secretary of State shall be five
57 dollars, payable in advance: *And provided, further*, that any corporation, other
58 than corporations for manufacturing purposes, availing itself of, or accepting
59 the benefits of, or formed under this act (except the mere change of name),
60 shall be subject to the general laws of this State, now in force, or which
61 may hereafter be passed, regulating corporations of like character.

62 "Section 8. Whenever any railroad corporation of this State shall desire
63 to consolidate with any other railroad corporation either of this or of another
64 State, by virtue of the provisions of this act, a notice as provided by section
65 two of this act, shall be given at least sixty days before the time fixed for
66 such meeting, and a general notice, as provided by said section two, shall be
67 published for six successive weeks: *Provided*, that railroad corporations shall
68 not consolidate their stock property or franchises with any other railroad
69 corporation owning a parallel or competing line."



1. Introduced by Mr. Adams, March 1, 1883, and ordered to first reading.
2. First reading March 2, 1883, and referred to Committee on State Charitable Institutions.
3. Reported back April 12, 1883, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 26, 1883, passage recommended, and ordered to a second reading.

A BILL

For An Act making appropriations for the Illinois Charitable Eye and Ear Infirmary, at Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That there is hereby appropriated to the Illinois Charitable Eye and Ear Infirmary,
3 at Chicago, for ordinary expenses, the sum of seventeen thousand dollars (\$17,000), per annum
4 from the first day of July, 1883, payable quarterly in advance, until the expiration of the first
5 fiscal quarter after the adjournment of the next General Assembly.

§ 2 That for the purpose of making needed repairs and improvements, the sum of one
3 thousand dollars per annum is hereby appropriated; for the purchase of additional furniture,
3 the sum of one thousand dollars per annum is hereby appropriated; for removing old wood stable
4 and building brick stable and shed, the sum of nineteen hundred and fifty dollars (\$1,950), is
5 hereby appropriated.

§ 3. The moneys herein appropriated shall be drawn from the State treasury in the manner
2 and subject to the limitations and conditions now provided by law.

1. Introduced by Mr. Morris, March 6, 1883, and ordered to first reading.
2. First reading March 6, 1883, and referred to Committee on Judiciary.
3. Reported back March 7, 1883, with amendments, passage recommended, and ordered to second reading.

AMENDMENTS TO SENATE BILL NO. 302, PROPOSED BY THE COMMITTEE ON JUDICIARY.

- Amend the title by striking out the figures and words “(\$50,000) fifty thousand dollars” where they occur, and substitute therefor the words and figures “thirty thousand dollars (\$30,000).”
- Amend section one by striking out the word “fifty” in the second line, and substituting in lieu thereof the word “thirty.”

A BILL

For An Act to appropriate (\$50,000) fifty thousand dollars out of any moneys in the State Treasury not otherwise appropriated, for the relief of the destitute of Shawneetown and Gallatin county who have been rendered destitute by the present floods in the Ohio and Wabash rivers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of fifty thousand dollars be, and the same is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the relief of the destitute inhabitants of the city of Shawneetown and Gallatin county who have been rendered destitute by the floods of the Ohio and Wabash rivers, and the Auditor of Public Accounts is hereby required to draw his warrant for said sum of money, payable to the commissioners hereinafter named, to be by them disbursed under this act.

§ 2. The money appropriated by this act shall be disbursed by and through
2 the following named persons: Alexander K. Lowe, Thomas S. Ridgway and
3 Charles Carroll, who are hereby appointed commissioners to execute the pro-
4 visions of this act: *Provided*, that no part of the money hereby appropriated
5 shall be used to compensate any person for property destroyed or damaged
6 by said flood.

§ 3. Whereas an emergency exists by reason of the present suffering and
2 destitution of persons to be relieved under this act, therefore this act shall
3 be in force from and after its passage.

(Substitute for Senate Bill No. 109.)

1. Introduced by Committee on Judiciary, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and ordered to a second reading.
3. Reported back with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 13 of "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That section 13 of an act entitled "An act concerning fees
3 and salaries, and to classify the several counties of this State with reference
4 thereto," approved March 29, 1872, in force July 1, 1872, be and the same is
5 hereby amended so as to read as follows:

6 "Section 13. That for the purpose of fixing the fees and compensation
7 of county and township officers in this State, the several counties therein are
8 hereby divided into three classes, according to population, as ascertained by the
9 Federal census of the year 1880, which classes shall be known as the first,
10 second and third, as follows:

11 Counties containing a population of not exceeding twenty five thousand in-
12 habitants, to-wit: Alexander, Bond, Boone, Brown, Calhoun, Carroll, Cass,
13 Clark, Clay, Clinton, Crawford, Cumberland, DeWitt, Douglas, DuPage,
14 Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Greene, Grundy, Hamil-
15 ton, Hardin, Henderson, Jackson, Jasper, Jefferson, Jersey, Johnson, Kankakee,
16 Kendall, Lake, Lawrence, Marion, Marshall, Mason, Massac, McHenry, Menard,
17 Mercer, Monroe, Moultrie, Perry, Piatt, Pope, Pulaski, Putnam, Richland,

18 Saline, Schuyler, Scott, Stark, Union, Wabash, Warren, Washington, Wayne,
19 White, Williamson and Woodford, shall belong to and be known as counties
20 of the first class.

21 Counties containing a population over twenty-five thousand and not exceed-
22 ing one hundred thousand, to-wit: Adams, Bureau, Champaign, Christian,
23 Coles, DeKalb, Edgar, Fulton, Hancock, Henry, Iroquois, Jo Daviess, Kane,
24 Knox, LaSalle, Lee, Livingston, Logan, Macon, Macoupin, Madison, McDon-
25 ough, McLean, Montgomery, Morgan, Ogle, Peoria, Pike, Randolph, Rock
26 Island, Sangamon, Shelby, St. Clair, Stephenson, Tazewell, Vermilion, White-
27 side, Will and Winnebago, shall belong to and be known as counties of the second
28 class.

29 Counties containing a population exceeding one hundred thousand, to-wit,
30 the county of Cook, shall belong to and be known as counties of the third
31 class.

32 The fees and compensation of the several officers hereinafter named, shall
33 be as follows, in the respective classes of the counties to which they belong.

1. Introduced by the Committee on Judiciary March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883 and ordered to second reading.
3. Second reading March 16, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 13, of "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title, as amended by act, approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That section 13, of an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act, approved March 28, 1874, in force July 1, 1874, be, and the same is hereby amended, so as to read as follows:

"Section 13. That for the purpose of fixing the fees and compensation of county and township officers in this State, the several counties therein are hereby divided into three classes, according to population, as ascertained by the Federal census of the year 1880, which classes shall be known as the first, second and third, as follows:

Counties containing a population of not exceeding twenty-five thousand inhabitants, to-wit:

Alexander, Bond, Boone, Brown, Calhoun, Carroll, Cass, Clark, Clay, Clinton, Crawford, Cumberland, DeWitt, Douglas, DuPage, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Greene, Grundy, Hamilton, Hardin, Henderson, Jackson, Jasper, Jefferson, Jersey, Johnson, Kankakee, Kendall, Lake, Lawrence, Marion, Marshall, Mason, Massac, McHenry, Menard, Mercer, Monroe, Moultrie, Perry, Piatt, Pope, Pulaaki, Putnam, Richland, Saline, Schuyler, Scott, Stark, Union, Wabash, Warren, Washington, Wayne, White, Williamson and Woodford, shall belong to and be known as counties of the first class.

Counties containing a population over twenty-five thousand, and not exceeding one hundred thousand, to-wit: Adams, Bureau, Champaign, Christian, Coles, DeKalb, Edgar, Fulton, Hancock, Henry, Iroquois, Jo Daviess, Kane, Knox, LaSalle, Lee, Livingston, Logan, Macor,

- 21 Macoupin, Madison, McDonough, McLane, Montgomery, Morgan, Ogle, Peoria, Pike, Randolph,
22 Rock Island, Sangamon, Shelby, St. Clair, Stephenson, Tazewell, Vermilion, Whiteside, Will
23 and Winnebago, shall belong to and be known as counties of the second class.
- 24 Counties containing a population exceeding one hundred thousand, to-wit, the county of Cook,
25 shall belong to and be known as counties of the third class.
- 26 The fees and compensation of the several officers hereinafter named, shall be as follows, in
27 in the respective classes of the counties to which they belong.

1. Reported to House April 30, 1883.
2. First reading June 2, 1883, and ordered to second reading.

A BILL

For An Act to amend section 13 of "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title, as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 13 of an act entitled "An act concerning
3 fees and salaries, and to classify the several counties of this State with
4 reference thereto," approved March 29, 1872, in force July 1, 1872, title as
5 amended by act approved March 28, 1874, in force July 1, 1874, be, and the
6 same is hereby amended, so as to read as follows:

7 "Section 13. That for the purpose of fixing the fees and compensation of
8 county and township officers in this State, the several counties therein are
9 hereby divided into three classes, according to population as ascertained by
10 the Federal census of the year 1880, which classes shall be known as the first,
11 second and third, as follows:

12 Counties containing a population of not exceeding twenty-five thousand
13 inhabitants, to-wit: Alexander, Bond, Boone, Brown, Calhoun, Carroll, Cass,
14 Clark, Clay, Clinton, Crawford, Cumberland, DeWitt, Douglas, DuPage,
15 Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Greene, Grundy, Hamil-
16 ton, Hardin, Henderson, Jackson, Jasper, Jefferson, Jersey, Johnson, Kankakee,
17 Kendall, Lake Lawrence Marion, Marshall, Mason, Massac McHenry, Menard,
18 Mercer, Monroe, Moultrie, Perry, Piatt, Pope, Pulaski, Putnam, Richland,

19 Saline, Schuyler, Scott, Stark, Union, Wabash, Warren, Washington, Wayne;
 20 White, Williamson and Woodford, shall belong to and be known as counties
 21 of the first class.

22 Counties containing a population over twenty-five thousand, and not ex-
 23 ceeding one hundred thousand, to wit: Adams, Bureau, Champaign, Christ-
 24 ian, Coles, DeKalb, Edgar, Fulton, Hancock, Henry, Iroquois, JoDavies,
 25 Kane, Knox, LaSalle, Lee, Livingston, Logan, Macon, Macoupin, Madison,
 26 McDonough, McLean, Montgomery Morgan, Ogle, Peoria, Pike, Randolph,
 27 Rock Island, Sangamon, Shelby, St. Clair, Stephenson, Tazewell, Vermilion,
 28 Whiteside, Will and Winnebago, shall belong to and be known as counties
 29 of the second class.

30 Counties containing a population exceeding one hundred thousand, to-wit,
 31 the county of Cook, shall belong to and be know as counties of the third class.

32 The fees and compensation of the several officers hereinafter named shall
 33 be as follows, in the respective classes of the counties to which they belong."

1. Introduced by Mr. Fifer, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 12, 1883, with amendment, passage recommended, and ordered to second reading.

AMENDMENT TO SENATE BILL 304, PROPOSED BY COMMITTEE ON EDUCATION.

Strike out the words "who may use library," in line 17, page 1, of writer's bill.

A BILL

For An Act to amend section six (6) of an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved March 7, 1872, in force March 7, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section six (6) of an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, be amended so as to read as follows:

"Section 6. [WHO MAY USE LIBRARY.] Every library and reading room, established under this act, shall be forever free to the use of the inhabitants of the city where located, always subject to such reasonable rules and regulations as the library board may adopt, in order to render the use of said library and reading room of the greatest benefit to the greatest number: *Provided*, the city council of any incorporated city shall have power, if it so elect, to provide that any and all persons desiring to take books or papers from such library and reading room to be read and used elsewhere, shall pay an annual assessment for such privilege, to the board of directors, of not to exceed the sum of three dollars, or at the same rate for any part of a year not less

13 than one month; and all moneys so raised shall be devoted toward the support and maintenance
14 of such library and reading room. Said board may exclude from the use of said library and
15 reading room any and all persons who shall willfully violate such rules; and said board may ex-
16 tend the privileges and uses of such library and reading room to persons residing out of such
17 city in this State, upon such terms and conditions as said board may from time to time by its
18 regulations prescribe."

1. Introduced by Mr. Fifer, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 12, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 26, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section six (6), of an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved March 7, 1872, in force March 7, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section six (6) of an act entitled "An act to
3 authorize cities, incorporated towns and townships to establish and maintain
4 free public libraries and reading rooms," approved and in force March 7,
5 1872, be amended, so as to read as follows:
6 § 6. "Every library and reading room, established under this act, shall be
7 forever free to the use of the inhabitants of the city where located, always
8 subject to such reasonable rules and regulations as the library board may
9 adopt, in order to render the use of said library and reading room of the
10 greatest benefit to the greatest number: *Provided*, the city council of any
11 incorporated city shall have power, if it so elect, to provide that any and all
12 persons desiring to take books or papers from such library and reading room
13 to be read and used elsewhere, shall pay an annual assessment for such
14 privilege, to the board of directors, of not to exceed the sum of three dollars,
15 or at the same rate for any part of a year not less than one month; and all
16 moneys so raised shall be devoted towards the support and maintenance of

17 such library and reading room. Said board may exclude from the use of
18 said library and reading room any and all persons who shall willfully violate
19 such rules; and said board may extend the privileges and uses of such library
20 and reading room to persons residing out of such city in this State, upon such
21 terms and conditions as said board may from time to time by its regulations
22 prescribe."

1. Introduced by Mr. Ainsworth, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Miscellany.
3. Reported back March 14, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections 223 and 224, in division one, of the criminal code, approved May 3, 1873, and in force July 1, 1873, to prohibit the circulation of obscene books, and prohibit indecent and lewd plays.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly.* That whoever brings, or causes to be brought into this
3 State, for sale or exhibition, or shall sell or offer to sell, or shall give away
4 or offer to give away, or have in his possession, with or without intent to
5 sell or give away, any obscene and indecent book, pamphlet, paper, drawing,
6 lithograph, engraving, daguerreotype, photograph, stereoscopic picture, model,
7 cast, instrument or article of indecent, immoral use, or shall advertise the
8 same for sale, or write, or cause to be written, or print, or cause to be
9 printed, any circular, hand bill, card, book, pamphlet, advertisement or
10 notice of any kind, or shall give information, orally, stating when, how or
11 of whom or by what means any of said indecent and obscene articles and
12 things hereinbefore mentioned can be purchased or otherwise obtained, or
13 shall manufacture, draw and expose, or draw with intent to sell, or to have
14 sold or print any such articles, shall be confined in the county jail not more
15 than six months, or be fined not less than one hundred dollars nor more
16 than one thousand dollars for each offense; one-half of said fine to be paid
17 to the informer upon whose evidence the person so offending shall be con-

18 victed, and one-half to the school fund of the county in which the said con-
19 viction is obtained.

§ 2. If any person shall deposit or cause to be deposited in any post office
2 within this State, or place in charge of any express company, or persons
3 connected therewith, or of any common carrier, or other person, any of the
4 obscene and indecent articles and things mentioned in the preceding section,
5 or any circular, hand bill, card, advertisement, book, pamphlet, or notice of
6 any kind, or shall give oral information stating where, how or of whom
7 such indecent and obscene article or thing can be purchased or otherwise
8 obtained in any manner, with the intent of having the same conveyed by
9 mail or express, or in any other manner, or if any person shall willfully or
10 knowingly receive the same with the intent to carry or convey the same by
11 express or in any other manner (except in the United States mail), he shall
12 be subject for each offense to the same fine and penalties as are prescribed
13 in the preceding section; and said fine shall be divided and paid in the same
14 manner as therein provided.

§ 3. If any person shall in this State appear in a public place in a state
2 of nudity, or in dress not belonging to his or her sex, or in an indecent and
3 lewd dress, or shall make any indecent exposure of his or her person, or be
4 guilty of any lewd or indecent act or behavior, tending to corrupt the morals
5 of the young or familiarizing them with the details of crime or otherwise
6 debauching or demoralizing the youth; or shall put up in any public place
7 any indecent, lewd or obscene picture or character, representing the human
8 form in a nude or semi-nude condition, or shall exhibit or perform what are
9 known as "can can shows," or shall perform any indecent, immoral or lewd
10 plays, or other representations, or shall advertise by circulars or posters any
11 such shows, plays or performances or representations, he or she so offending
12 or procuring the same to be done, shall be subject for each offense to the
13 same penalties prescribed in the preceding sections of this act; and the
14 said fines shall be divided and paid in the same manner as therein pro-
15 vided.

1. Introduced by Mr. Ainsworth, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Miscellany.
3. Reported back March 14, 1883, passage recommended, and ordered to second reading.
4. Second reading April 10, 1883, amended and ordered to third reading.

A BILL

For An Act to amend sections 223 and 224, in division one, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That sections 223 and 224 of division one of an act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be so amended as to read as follows:

"Section 223. Whoever brings, or causes to be brought into this State, for sale or exhibition, or shall make, sell or offer to sell, or shall give away or offer to give away, or have in his possession with or without intent to sell or give away, any obscene and indecent book, pamphlet, paper, drawing, lithograph, engraving, daguerreotype, photograph, stereoscopic picture, model, cast, instrument or article of indecent, immoral use, or shall advertise the same for sale, or write or cause to be written, or print or cause to be printed, any circular, hand bill, card, book, pamphlet, advertisement or notice of any kind, or shall give information, orally, stating when, how or of whom or by what means any of said indecent and obscene articles and things hereinbefore mentioned can be purchased or otherwise obtained, or shall manufacture, draw and expose, or draw with intent to sell or to have sold or print any such articles, shall be confined in the county jail not more than six months, or be fined not less than one hundred dollars nor more than one thousand dollars for each offense; one-half of said fine to be paid to the informer upon whose evidence the person so offending shall be convicted, and one-half to the school fund of the county in which the said conviction is obtained.

"Section 224. If any person shall deposit or cause to be deposited in any postoffice within this State, or place in charge of any express company, or persons connected therewith, or of any

21 common carrier, or other person, any of the obscene and indecent articles and things mentioned
22 in the preceding section, or any circular, hand bill, card, advertisement, book, pamphlet, or
23 notice of any kind, or shall give oral information stating where, how or of whom such indecent
24 and obscene article or thing can be purchased or otherwise obtained in any manner, with the
25 intent of having the same conveyed by mail or express, or in any other manner, or if any person
26 shall willfully or knowingly receive the same with the intent to carry or convey the same by
27 express or in any other manner (except in the United States mail), he shall be subject for each
28 offense to the same fine and penalties as are prescribed in the preceding section; and said fine
29 shall be divided and paid in the same manner as therein provided. If any person shall in this
30 State appear in a public place in a state of nudity, or in a dress not belonging to his or her sex,
31 or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be
32 guilty of any lewd or indecent act or behavior, tending to corrupt the morals of the young or
33 familiarizing them with the details of crime, or otherwise debauching or demoralizing the youth,
34 or shall put up in any public place any indecent, lewd or obscene picture or character, represent-
35 ing the human form in a nude or semi-nude condition, or shall exhibit or perform what are
36 known as 'can-can shows,' or shall perform any indecent, immoral or lewd plays, or other rep-
37 resentations, or shall advertise by circulars or posters any such shows, plays or performances or
38 representations, he or she so offending or procuring the same to be done shall be subject for
39 each offense to the same penalties prescribed in the preceding sections of this act; and the said
40 fines shall be divided and paid in the same manner as therein provided."

1. Reported to House May 17, 1883.
2. First reading May 29, 1883, and referred to Committee on Judiciary.
3. Reported back, passage recommended, report concurred in, and ordered to second reading June 2, 1883.

A BILL

For An Act to amend sections 223 and 224. in division one of an act entitled 'An act to revise the law in relation to criminal jurisprudence,' approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That sections 223 and 224 of division one of an act to
3 revise the law in relation to criminal jurisprudence," approved March 27, 1874,
4 in force July 1, 1874, be so amended, as to read as follows:
5 "Section 223. Whoever brings, or causes to be brought into this State, for
6 sale or exhibition, or shall make, sell or offer to sell, or shall give away or
7 offer to give away, or have in his possession with or without intent to sell or
8 give away, any obscene and indecent book, pamphlet, paper, drawing, litho-
9 graph, engraving, daguerreotype, photograph, stereoscopic picture, model,
10 cast instrument or article of indecent, immoral use, or shall advertise the
11 same for sale, or write or cause to be written, or print or cause to be printed,
12 any circular, hand bill, card, book, pamphlet, advertisement or notice of any
13 kind, or shall give information, orally, stating when, how or of whom or by
14 what means any of said indecent and obscene articles and things herein-
15 before mentioned can be purchased or otherwise obtained, or shall manu-
16 facture, draw and expose, or draw with intent to sell or to have sold or print
17 any such articles, shall be confined in the county jail not more than six
18 months, or be fined not less than one hundred dollars, nor more than one

19 thousand dollars for each offense; one half of said fine to be paid to the in-
 20 former upon whose evidence the person so offending shall be convicted, and
 21 one-half to the school fund of the county in which the said conviction is
 22 obtained.

23 "Section 224. If any person shall deposit or cause to be deposited in any
 24 postoffice within this State, or place in charge of any express company, or
 25 persons connected therewith, or of any common carrier, or other person, any
 26 of the obscene and indecent articles and things mentioned in the pre-
 27 ceding section, or any circular, hand-bill, card, advertisement, book, pamphlet,
 28 or notice of any kind, or shall give oral information stating where, how or of
 29 whom such indecent and obscene article or thing can be purchased or other-
 30 wise obtained in any manner, with the intent of having the same conveyed
 31 by mail or express, or in any other manner, or if any person shall willfully
 32 or knowingly receive the same with the intent to carry[or convey the same by
 33 express or in any other manner (except in the United States mail), he shall be
 34 subject for each offense to the same fine and penalties as are prescribed in
 35 the preceding section; and said fine shall be divided and paid in the same
 36 manner as therein provided. If any person shall in this State appear in a
 37 public place in a state of nudity, or in a dress not belonging to his or her
 38 sex, or in an indecent or lewd dress, or shall make any indecent exposure of
 39 his or her person, or be guilty of any lewd or indecent act or behavior, tend-
 40 ing to corrupt the morals of the young or familiarizing them with the details
 41 of crime, or otherwise debauching or demoralizing the youth, or shall put up
 42 in any public place any indecent, lewd or obscene picture or character, repre-
 43 senting the human form in a nude or semi-nude condition, or shall exhibit
 44 or perform what are known as 'can-can shows,' or shall perform any indecent,
 45 immoral or lewd plays, or other representations, or shall advertise by circu-
 46 lars or posters any such 'shows, plays or performances or representations, he
 47 or she so offending or procuring the same to be done shall be subject for each
 48 offense to the same penalties prescribed in the preceding sections of this act;
 49 and the said fines shall be divided and paid in the same manner as therein
 50 provided."

1. Introduced by Mr. Berggren, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back March 23, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 27, of an act entitled "An act concerning fees and salaries, and to classify the several counties in this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 27, of an act entitled "An act concerning
3 fees and salaries, and to classify the several counties in this State with
4 reference thereto," approved March 29, 1872, in force July 1, 1872, title as
5 amended by act approved March 28, 1874, and in force July 1, 1874, be, and
6 it is hereby amended, so as to read as follows:

7 "Section 27. The fees of county superintendents of schools shall be as
8 follows: Three per cent. commissions upon the amount of sales of school
9 lands, or of sales of land upon mortgage, or sales of real estate taken for
10 debt, including all services connected therewith; two per cent. commission
11 upon all sums distributed, paid or loaned out by them for the support of
12 schools. For all other duties required of them by law, an annual salary to
13 be fixed by the county boards of the respective counties prior to the election
14 of such superintendents, which salary shall not be less than \$600, nor more
15 than \$1,200, in counties of first class; not less than \$1,000, nor more than
16 \$1,800, in counties of second class, and not less than \$1,500, nor more than

17 \$2,500 in counties of third class: *Provided*, that the entire compensation re-
18 ceived by such superintendents of counties in third class shall not exceed
19 the sum of three thousand dollars per annum."

AMENDMENT TO SENATE BILL NO. 309, OFFERED BY THE COMMIT-
TEE ON EDUCATION.

Amend section 27, by inserting after the word "schools," in line 2. of writ-
ten bill, "to be hereafter elected or appointed in this State."

1. Introduced by Mr. Kirk, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Judiciary.
3. Reported back April 25, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act in relation to the punishment of criminals.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That whenever any person having been convicted of either
3 of the crimes of burglary, grand larceny, horse-stealing, robbery, forgery or
4 counterfeiting, shall thereafter be convicted of any one of such crimes committed
5 after such first conviction, the punishment shall be imprisonment in the
6 penitentiary for the full term provided by law for such crime at the time
7 of such first conviction therefor; and whenever any such person, having been
8 so convicted the second time as above provided, shall be again convicted of
9 any of said crimes, committed after said second conviction, the punishment
10 shall be imprisonment in the penitentiary for life: *Provided*, that such
11 former conviction or convictions, and judgment or judgments, shall be set
12 forth in apt words in the indictment.

§ 2. On any trial for any of said offenses, a duly authenticated copy of the
2 record of former conviction and judgment of any court of record, for
3 either of said crimes against the party indicted shall be *prima facie* evidence
4 of such former conviction, and may be used in evidence against such party.

To the Honorable, the President of the Senate:

The Committee on Judiciary to whom was referred Senate Bill No. 310, being a bill for "An act in relation to the punishment of criminals," respectfully beg leave to report the same back and recommend that it do pass.

GEORGE HUNT, *Chairman.*

1. Introduced by Mr. Kirk, March 7, 1883, read first time and referred to Committee on Judiciary.
2. Reported back, April 25, 1883, passage recommended and ordered to second reading.
3. Second reading, May 8, 1883, amended and ordered to third reading.

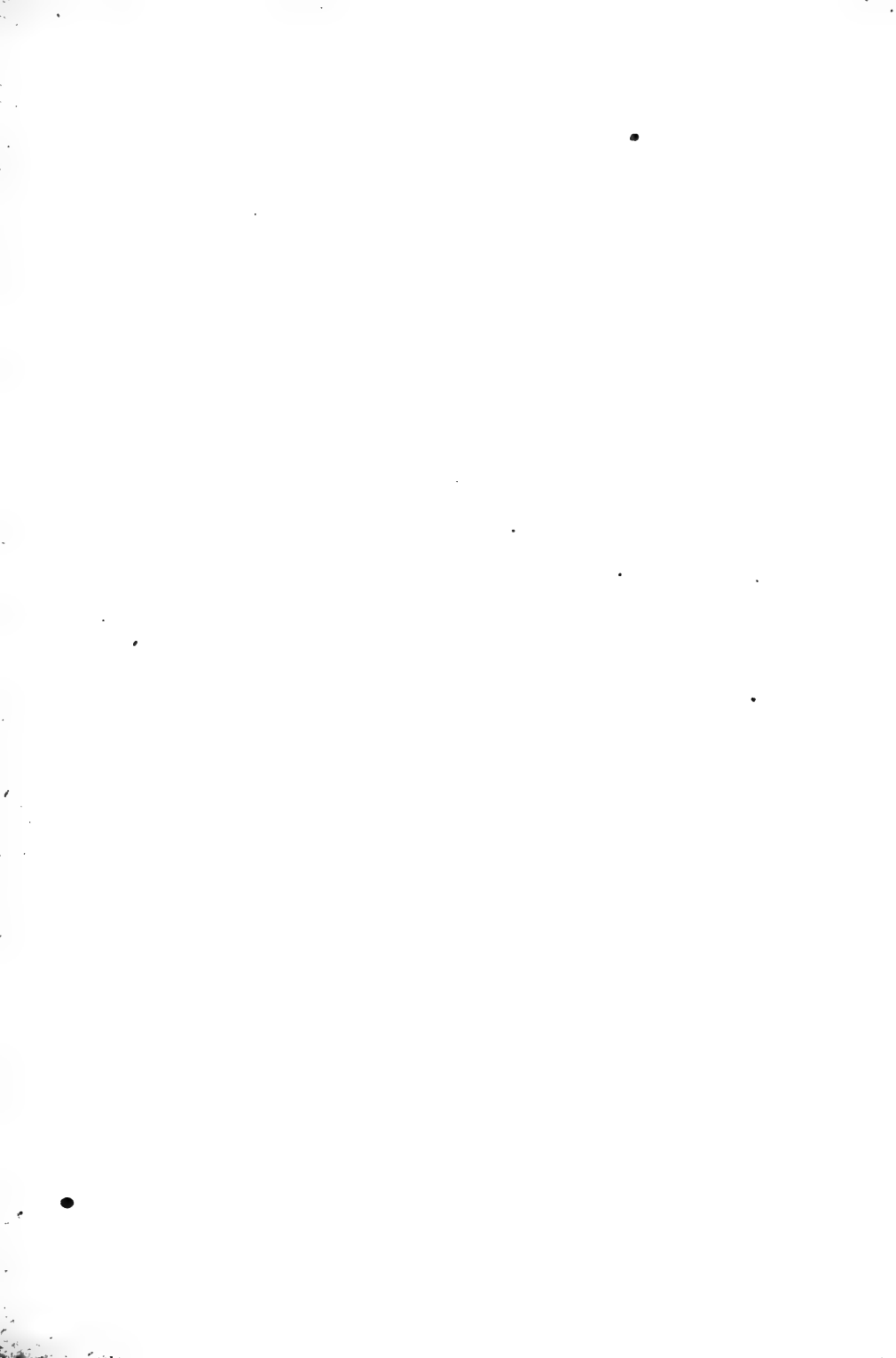
A BILL

For An Act in relation to the punishment of criminals.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That whenever any person having been convicted of either
3 of the crimes of burglary, grand larceny, horse-stealing, robbery, forgery, or
4 counterfeiting, shall thereafter be convicted of any one of such crimes, com-
5 mitted after such first conviction, the punishment shall be imprisonment in
6 the penitentiary for the full term provided by law for such crime at the
7 time of such last conviction therefor; and whenever any such person, having
8 been so convicted the second time as above provided, shall be again con-
9 victed of any of said crimes, committed after said second conviction, the
10 punishment shall be imprisonment in the penitentiary for a period not less
11 than fifteen years: *Provided*, that such former conviction or convictions, and
12 judgment or judgments shall be set forth in apt words in the indictment.

§ 2. On any trial for any of said offenses, a duly authenticated copy of
2 the record of a former conviction and judgment of any court of record, for
3 either of said crimes against the party indicted, shall be *prima facie* evi-
4 dence of such former conviction, and may be used in evidence against such
5 party.



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1. Reported to House May 23, 1883.
 2. First reading May 25, 1883, and ordered to second reading May 25, 1883.
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A BILL

For An Act in relation to the punishment of criminals.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That whenever any person having been convicted of either
3 of the crimes of burglary, grand larceny, horse-stealing, robbery, forgery or
4 counterfeiting, shall thereafter be convicted of any one of such crimes, com-
5 mitted after such first conviction, the punishment shall be imprisonment in
6 the penitentiary for the full term provided by law for such crime at the
7 time of such last conviction therefor; and whenever any such person, having
8 been so convicted the second time as above provided, shall be again convicted
9 of any of said crimes committed after said second conviction, the punishment
10 shall be imprisonment in the penitentiary for a period not less than fifteen
11 years: *Provided*, that such former conviction or convictions, and judgment
12 or judgments shall be set forth in apt words in the indictment.

§ 2. On any trial for any of said offenses, a duly authenticated copy of the
2 record of a former conviction and judgment of any court of record, for
3 either of said crimes against the party indicted, shall be *prima facie* evidence
4 of such former conviction, and may be used in evidence against such party.



1. Introduced by Mr. Iborn, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Revenue.
3. Reported back March 9, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections 163 and 180, of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1873, as amended by act, approved June 2, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That sections 163 and 180, of an act entitled "An act for
3 the assessment of property, and for the levy and collection of taxes," ap-
4 proved March 30, 1872, in force July 1, 1873, as amended by act, approved
5 June 2, 1881, in force July 1, 1881, be, and the same is hereby amended, so as
6 to read as follows:
7 "Section 163. Whenever any person shall pay the taxes charged on any
8 property, the collector shall enter such payment in his book, and give a re-
9 ceipt therefor, specifying for whom paid, the amount paid *for each kind of*
10 *tax*, what year paid for, and the property on which the same was paid, *to-*
11 *gether with the equalized value on which the tax has been extended*, according to
12 its description in the collector's books, in whole or in part of such descrip-
13 tion, as the case may be; *said receipt shall also show on the back thereof the*
14 *equalization made by the State and county boards, and the rate, per cent., per one*
15 *hundred dollars of State, local and special taxes*; and such entry and receipt
16 shall bear the genuine signature of the collector or his deputy receiving
17 such payment; and whenever it shall appear that any receipt for the pay-

18 ment of taxes shall be lost or destroyed, the entry so made may be read in
19 evidence in lieu thereof. The collector shall enter the name of the owner,
20 or the person paying tax, opposite each tract or lot of land, when he collects
21 the tax thereon, *the date of such payment*, and the post-office address of the
22 person paying such tax.

23 "Section 180. On the application of any person to pay any tax or special assess-
24 ment upon any real property, it shall be the duty of the county collector to
25 make out to such person a receipt, in which shall be noted all taxes and
26 assessments upon such property, returned to such collector, and not pre-
27 viously paid, *The same entries shall be made on the collector's books, and the*
28 *receipt shall be of the same form as are by law required to be given by town*
29 *and district collectors."*

1. Introduced by Mr. Lemma, March 7, 1883, and ordered to first reading.
2. First reading March 7, 1883, and referred to Committee on Judiciary.
3. Reported back, March 28, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to divide the State of Illinois, exclusive of Cook county, into judicial districts for county court purposes, and for the election of judges therein.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

2 *General Assembly:* That the State of Illinois, exclusive of the county of
3 Cook, for the purpose of holding terms of the county courts, shall be
4 divided into districts as follows:

5 *First District*—The counties of Alexander, Pulaski and Massac.

6 *Second District*—The counties of Johnson, Pope and Hardin.

7 *Third District*—The counties of Union, Jackson and Williamson.

8 *Fourth District*—The counties of Saline, Franklin and Gallatin.

9 *Fifth District*—The counties of Hamilton, White and Wabash.

10 *Sixth District*—The counties of Jefferson, Wayne and Edwards.

11 *Seventh District*—The counties of Randolph, Monroe and Perry.

12 *Eighth District*—The counties of Washington, Clinton, Marion and Bond.

13 *Ninth District*—The counties of St. Clair and Madison.

14 *Tenth District*—The counties of Effingham, Clay and Richland.

15 *Eleventh District*—The counties of Lawrence, Crawford, Jasper and Cum-
16 berland.

17 *Twelfth District*—The counties of Fayette and Shelby.

18 *Thirteenth District*—The counties of Montgomery and Christian.

- 19 *Fourteenth District*—The counties of Macoupin and Sangamon.
- 20 *Fifteenth District*—The counties of Greene, Jersey and Calhoun.
- 21 *Sixteenth District*—The counties of Scott and Morgan.
- 22 *Seventeenth District*—The counties of Logan and DeWitt.
- 23 *Eighteenth District*—The counties of Cass, Mason and Menard.
- 24 *Nineteenth District*—The counties of Champaign and Piatt.
- 25 *Twentieth District*—The counties of Macon and Moultrie.
- 26 *Twenty-first District*—The counties of Vermilion and Edgar.
- 27 *Twenty-second District*—The counties of Clark, Coles and Douglas.
- 28 *Twenty-third District*—The counties of McLean and Ford.
- 29 *Twenty-fourth District*—The counties of Iroquois and Kankakee.
- 30 *Twenty-fifth District*—The counties of Livingston and Grundy.
- 31 *Twenty-sixth District*—The counties of Woodford and Tazewell.
- 32 *Twenty-seventh District*—The counties of Marshall and Putnam.
- 33 *Twenty-eighth District*—The counties of Fulton and McDonough.
- 34 *Twenty-ninth District*—The counties of Schuyler, Brown and Pike.
- 35 *Thirtieth District*—The counties of Adams and Hancock.
- 36 *Thirty-first District*—The counties of Peoria and Stark.
- 37 *Thirty-second District*—The counties of Warren, Henderson and Knox.
- 38 *Thirty-third District*—The counties of Rock Island and Mercer.
- 39 *Thirty-fourth District*—The counties of Bureau and Henry.
- 40 *Thirty-fifth District*—The counties of LaSalle and DeKalb.
- 41 *Thirty-sixth District*—The counties of Kane and DuPage.
- 42 *Thirty-seventh District*—The counties of Carroll and Whiteside.
- 43 *Thirty-eighth District*—The counties of Ogle and Lee.
- 44 *Thirty-ninth District*—The counties of Lake and McHenry.
- 45 *Fortieth District*—The counties of Will and Kendall.
- 46 *Forty-first District*—The counties of Boone and Winnebago.
- 47 *Forty-second District*—The counties of Jo Daviess and Stephenson.

§ 2. In each of said districts there shall be elected, in lieu of the present county judges, one judge, on the first Monday in June, A. D. 1885, and on the first Monday in June, every fourth year thereafter, and he shall enter upon the

4 duties of his office on the first Monday of July, after his election, and shall
5 hold his office for four years, and until his successor is elected and quali-
6 fied.

§ 3. Said judges, in their respective districts, shall take the places of,
2 and exercise the powers and jurisdiction of the present county judges, and
3 such other jurisdiction as may be conferred by law.

§ 4. The several judges of the said districts shall, before entering upon
2 the duties of their office, take and subscribe the following oath, or affirma-
3 tion, which shall be filed in the office of the Secretary of State:

4 I do solemnly swear (or affirm, as the case may be) that I will support
5 the Constitution of the United States, and the Constitution of the State of
6 Illinois, and that I will faithfully discharge the duties of district judge of
7 the county court to the best of my ability.

§ 5. The said judges shall have like powers in all matters within the
2 jurisdiction of said court, as the circuit courts may have in like matters.

§ 6. Each judge of said districts shall receive and be paid out of the
2 State Treasury of this State an annual salary of \$2,500, and no other com-
3 pensation, perquisite, or benefit, which salary shall be paid quarterly, on the
4 warrant of the Auditor of Public Accounts, out of any money in the State
5 Treasury not otherwise appropriated.

1. Introduced by Mr. Needles, March 8, 1883, and ordered to first reading.
2. First reading March 8, 1883, and referred to Committee on Insurance.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the organization and management of corporations, associations or societies, for the purpose of furnishing life, indemnity or pecuniary benefits to the widows, heirs and devisees of deceased members thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly*, That corporations, associations or societies for the purpose
3 of furnishing life, indemnity or pecuniary benefits to the widows, orphans,
4 heirs or relatives by consanguinity or affinity, devisees or legatees of de-
5 ceased members thereof, and to persons having an insurable interest, and
6 where members shall receive no money as profit, and where the funds for
7 the payment of such benefits shall be secured in whole or in part by assess-
8 ment upon the surviving members, may be organized subject to the condi-
9 tions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of
2 whom shall be *bona fide* citizens and voters of this State, may associate
3 themselves together as a body corporate, for which purpose they shall make,
4 sign and acknowledge, before any officer authorized to take acknowledgments
5 of deeds in this State, a certificate of association, in which shall be stated
6 the name or title by which such corporation, association or society shall be
7 known in law; the location of its principal business office (which office must
8 be located in this State); the name and residence of the incorporators; the

9 object of the corporation, with its plan of doing business clearly and fully
 10 defined; the number of its directors, trustees or managers, and the names of
 11 those selected to serve until its first annual meeting; the limits as to age of
 12 applicants for membership, and whether medical examinations are required;
 13 and that *bona fide* applications have been secured for at least \$200,000, by
 14 not less than two hundred persons, which certificate of association shall be
 15 submitted to the Auditor of Public Accounts, who shall carefully examine
 16 the same; and, if he shall find that the objects and purposes are fully and
 17 definitely set forth, and are clearly within the provisions of this act, and
 18 that the name or title is not the same or does not so closely resemble a title
 19 in use as to have a tendency to mislead the public, shall approve the same.
 20 If for either of the aforesaid, or other good and sufficient reasons, the said
 21 Auditor shall be unwilling to approve the certificate of association, he shall
 22 immediately inform the incorporators of the fact, stating his objections fully
 23 in writing. If the certificate is sufficient and satisfactory, the said Auditor
 24 shall indicate his approval thereof under his hand and official seal, and shall
 25 forthwith file the same, together with the certificate of association, and
 26 other papers accompanying it, in the office of Secretary of State.

§ 3. Upon the filing of the papers as aforesaid the Secretary of State
 2 shall issue a certificate of organization of the corporation, association or
 3 society making as a part thereof a copy of all papers filed in his office in
 4 and about the organization thereof, and duly authenticated under his hand
 5 and seal of State; and the same shall be recorded in a book kept for that
 6 purpose in the office of the recorder of deeds of the county in which the
 7 principal place of business of such corporation, association or society is
 8 located.

§ 4. A corporation, association or society organized under the provisions
 2 of this act shall be a body corporate and politic, by the name stated in the
 3 certificate of organization, and by that name they and their successors may
 4 have succession, and shall be persons in law capable of suing and being
 5 sued; and may have power to make and enforce contracts in relation to the
 6 legitimate business of their corporation, association or society; may have

7 and use a common seal and may change or alter the same at pleasure, and
 8 they and their successors in their corporate name shall in law be capable of
 9 taking, purchasing, holding and disposing of real and personal estate for
 10 the purposes of their association or society; may make by-laws not incon-
 11 sistent with the constitution and laws of this State or of the United States,
 12 which by-laws shall define the manner and form of electing directors, trus-
 13 tees or managers and officers of the corporation, association or society, and
 14 the qualifications and duties of the same with terms of office not exceeding
 15 three years, and also the qualifications and privileges of the members
 16 thereof.

§ 5. The affairs of all corporations, associations or societies organized or
 2 doing business under the provisions of this act, shall be managed by not
 3 less than five directors, trustees or managers, a majority of whom shall be
 4 residents of the State of Illinois, who shall be elected from and by the
 5 members, at such time and place, and for such period not exceeding three
 6 years as may be provided for in the by-laws, and may be eligible for
 7 re-election: *Provided*, that as near as practicable an equal number shall be
 8 elected each year. Whenever directors, trustees or managers shall be elected,
 9 a certificate under the seal of the corporation, giving the name and resi-
 10 dence of those elected and the term of their office, shall be recorded in the
 11 office of the recorder of deeds where the certificate of organization is
 12 recorded. Vacancies in the board of directors, trustees or managers, shall
 13 be filled in the manner provided in the by-laws, and upon filling any
 14 vacancy a like certificate shall be recorded.

§ 6. Assessment notices sent to members by any association or corporation
 2 doing business under the provisions of this act, shall state the object, or
 3 objects, for which the money to be collected is intended; and no part of the
 4 funds collected for the payment of death benefits shall be applied for any
 5 other purpose than the legitimate purpose for which it was collected.

§ 7. Any agent, physician or other person, who shall knowingly secure, or
 2 cause to be secured, a certificate of membership on any person, without his
 3 knowledge or consent, or by means of misrepresentations, false, fraudulent

4 or untrue statements, be instrumental in securing a certificate of membership
 5 on any aged or infirm person, or restore to membership any person not in an
 6 insurable condition, shall be deemed guilty of a misdemeanor, and upon
 7 conviction thereof shall be fined in a sum not less than \$100, nor more than
 8 \$1,000, or imprisonment in the county jail not less than thirty days nor more
 9 than one year, or both, in the discretion of the court; and said certificate,
 10 or renewal, so secured, shall be absolutely void.

§ 8. All corporations, associations or societies transacting business under
 2 the provisions of this act, may provide by by-laws for the accumulation of a
 3 surplus, general or guarantee fund, which may be invested only in the cor-
 4 porate name of the association or society, in United States, State, county,
 5 city or other first-class convertible bonds or stocks, upon which interest has
 6 not been in default. Such funds, when so set apart and so invested, shall,
 7 with the increase thereof, belong to such corporation, association or society,
 8 and not to the directors, trustees, managers or officers thereof; and shall be
 9 used only for mortuary benefits, without assessment, or applied in payment
 10 of future assessments, or otherwise used for the promotion of the object or
 11 objects for which said funds are specially provided and set apart, and such
 12 use shall not be deemed or construed to mean a profit received by members
 13 within the meaning of the statutes of this State.

§ 9. All corporations, associations or societies, including secret societies,
 2 organized under the provisions of this act, or that have heretofore been or-
 3 ganized within this State, under any charter, compact or agreement or statute
 4 of this State, for the purpose of furnishing life indemnity or mortuary ben-
 5 efit on the assessment plan, in accordance with the provisions of the first
 6 section of this act, shall not be deemed insurance companies, nor subject to
 7 the laws of this State relating thereto, but shall comply with, and conform
 8 to, all the requirements and provisions of this act; and shall, by their presi-
 9 dent and secretary, or like officers, make to the Auditor of Public Accounts
 10 annually, on or before the first day of March in each and every year, a
 11 statement, under oath, for the year ending on the thirty-first day of Decem-
 12 ber next preceding, upon blanks furnished by the said Auditor, which

13 blanks shall be such as will show its financial condition, assets, liabilities,
 14 total amount of indemnity in force, number of members, number whose
 15 memberships have terminated during the year and cause thereof, total re-
 16 cepts and sources thereof, total expenditures and objects thereof, and the
 17 average amount paid on each certificate, and shall pay to the said Auditor
 18 upon filing said certificate, a fee of \$5, and the said Auditor shall publish
 19 said statement in his annual report: *Provided*, that nothing herein contained
 20 shall be held to apply to any organization of a purely social, religious or
 21 benevolent character, where no commissions are paid and no salaried officers
 22 or agents employed; nor to any local association or society organized under,
 23 or subject to, the control of a grand or supreme body, but such grand and
 24 supreme body alone shall be subject to this act.

§ 10. The Auditor of Public Accounts shall have authority, in person, or by
 2 an expert for that purpose appointed, to verify the statements aforesaid, by
 3 examination of the books and papers of the corporation, and make such
 4 other examination as he may deem necessary. The expense of such exami-
 5 nation shall be paid by the corporation, association or society, having its
 6 books examined, and shall not exceed the actual traveling expenses of said
 7 Auditor.

§ 11. The Auditor of Public Accounts shall, at the request of any cor-
 2 poration, association or society doing business in this State on the assess-
 3 ment plan, make an examination of such corporation, and shall furnish a
 4 certificate of the results of such examination, showing all its assets, and
 5 how invested, and such other particulars as may be deemed necessary to
 6 show the character and condition of said corporation, and the necessary ex-
 7 pense of the said examination, shall be paid by the corporation requesting
 8 the same.

§ 12. Whenever any corporation, association or society organized, or
 2 having transacted business under the provisions of this act, shall neglect or
 3 refuse to make its annual statements as required by this act, or whenever
 4 the said Auditor shall find, upon examination as provided in section 10 of
 5 this act, that any wilfully, false or untrue statements in any material

6 respect have been made, or that the business of the corporation, association
7 or society has been conducted fraudulently, or in willful violation of any of
8 the provisions of this act, he shall communicate the fact to the Attorney
9 General, whose duty it shall be to apply to the circuit court where its
10 principal office is located for an order requiring the officers, or directors,
11 trustees or managers of such corporation to show cause why they should
12 not be removed from office, or its business closed, and the court shall there-
13 upon hear the allegations and proofs of the respective parties, and, if it
14 shall appear to the satisfaction of the said court that any one or more of
15 them have been guilty of fraud or any material irregularity or violation of
16 law to the injury of the said corporation, association or society, or of non-
17 compliance with any of the provisions of this act, the court shall decree
18 a removal from office of the guilty party or parties, which decree shall for-
19 ever debar him or them from holding a similar office, and shall substitute a
20 suitable person or persons to serve until the regular annual meeting, or
21 until a successor, or successors, are regularly chosen or elected; or if it
22 shall appear to the said court that the interests of its members, or the
23 general public so require, the court may decree a dissolution of such cor-
24 poration, association or society and a distribution of its effects.

§ 13. Any officer, director, trustee or manager, or any other person having
2 charge of the books and papers of any corporation conducting business
3 under the provisions of this act who shall wilfully neglect or refuse to
4 comply with the provisions of this act, shall be subject to a fine of not less
5 than \$10 nor more than \$100 for each offense. Any person who shall act as
6 agent, or be instrumental in securing or inducing any person to become a
7 member of any assessment plan, corporation, association or society that has
8 not complied with the provisions of this act, shall be deemed guilty of a
9 misdemeanor and shall be subject to a fine of not less than \$10 nor more
10 than \$50 for each offense, and shall be imprisoned in the county jail,
11 located in the county where the conviction is secured, until such fine is
12 paid, not exceeding thirty days for each conviction.

§ 14. The first statement to the Auditor of Public Accounts, as required
 2 under the provisions of section 10 of this act, shall be made on or before the
 3 first day of September, A. D. 1883, and shall embrace all the facts required
 4 by the provisions of this act, from the date of organization up to the thirty-
 5 first day of December, A. D. 1882.

§ 15. Any corporation, association or society organized under the laws of
 2 any other State or government, for the purpose of furnishing life indemnity
 3 upon the assessment plan, as provided in section 1 of this act, shall be
 4 licensed by the Auditor of Public Accounts upon the payment to him of a
 5 fee of \$25, to do business in this State, provided such corporation, associa-
 6 tion or society shall first deposit with the said auditor a certified copy of
 7 its charter, or articles of incorporation, a copy of its statement of business
 8 for the preceding year, sworn to by its president and secretary, or like
 9 officers, showing a detailed account of expenses and income, the amount of
 10 life indemnity in force, its assets and liabilities in detail, number of mem-
 11 bers, and a certificate sworn to by the president and secretary, or like
 12 officers, setting forth that an ordinary assessment upon its members is suffi-
 13 cient to pay its certificates of membership to the full limit named therein ;
 14 a certificate from the insurance commissioner, or from the judge of a court
 15 of record of its home State, certifying that corporations, associations or
 16 societies furnishing life indemnity on the assessment plan, and whose
 17 ordinary assessments are sufficient to pay its certificates in full, and are
 18 chartered under the laws of this State, are legally entitled to do business in
 19 its home State, a copy of its policy, or certificate of membership, application,
 20 and by-laws, which must show that death losses are in the main provided
 21 for by assessments upon the surviving members : and it shall legally desig-
 22 nate a person or agent residing in this State, to receive service of process
 23 for said corporation, or in default of such designation, service of process
 24 may be made upon the Auditor of Public Accounts of Illinois, who shall be
 25 deemed its agent for that purpose, and he shall immediately notify any cor-
 26 poration thus served.

§ 16. Such corporations, associations or societies, shall pay to the said Auditor upon filing each annual statement a fee of \$10, and in the event of its failure to make such statement, on or before the first day of March of each year, the said Auditor shall revoke its license, and thereafter, or until such statement is made, it shall be deemed to be doing business unlawfully, in this State. When the Auditor of Public Accounts shall have reason to doubt the solvency of any foreign corporation, association or society, and when he is not fully satisfied with the certificate of the insurance commissioner, or other like officer, he may proceed to make an examination as provided in this act, for the examination of corporations organized in this State, and should he find that it has made fraudulent or untrue statements, or that it is conducting its business in an irregular and illegal manner; or if he shall be of the opinion that any such corporation is, in this State, conducting its business fraudulently, or is not in good faith carrying out its contracts with its members in this State, he shall report the same to the Attorney General, who shall thereupon commence proceedings by writ of *quo warranto* against such corporation or association, requiring it to show cause why its license to do business in this State should not be revoked. And any such foreign corporation or association now doing business in this State, that shall refuse or neglect to comply with the provisions of this act, within the space of ninety days after passage thereof, shall be deemed to be doing business unlawfully, and if any officer, agent or employee of any such corporation or association shall do business in this State, or assist in, or knowingly permit the same, unless such corporation or association has complied with the provisions of the laws of this State applicable to the same, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than \$50, nor more than \$1,000, or imprisonment in the county jail not less than thirty days nor more than one year, or both in the discretion of the court.

§ 17. All laws or part of laws in conflict with this act, are hereby repealed.

**AMENDMENTS ADOPTED BY THE COMMITTEE ON INSURANCE TO
SENATE BILL NO. 314.**

1. Amend section one (1) by inserting after the word "life" in line 3 of
2 said written bill the words, "or accident."
- 3 2. Amend section fifteen (15) by striking out in line 4 thereof, the words,
4 "indemnity upon" and insert in lieu thereof the following: "Or accident
5 indemnity upon the assessment plan, or that is carrying on the business of
6 life or accident insurance on."

1. Introduced by Mr. Needles, March 8, 1883, and ordered to first reading.
2. First reading March 8, 1883, and referred to Committee on Insurance.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 23, 1883, and made a special order March 29, amended, and ordered to a third reading.

A BILL

For An Act to provide for the organization and management of corporations, associations or societies, for the purpose of furnishing life, accident or permanent disability, indemnity or pecuniary benefits to the widows, heirs and devisees of deceased members thereof.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

2 *General Assembly:* That corporations, associations or societies for the purpose
3 of furnishing life, accident or permanent disability, indemnity or pecuniary
4 benefits to the widows, orphans, heirs or relatives by consanguinity or affinity,
5 devisees or legatees of deceased members thereof, and to persons having an
6 insurable interest, and where members shall receive no money as profit, and
7 where the funds for the payment of such benefits shall be secured, in whole
8 or in part, by assessment upon the surviving members, may be organized,
9 subject to the conditions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of
2 whom shall be *bona fide* citizens and voters of this State, may associate
3 themselves together as a body corporate, for which purpose they shall make,
4 sign and acknowledge, before any officer authorized to take acknowledgments
5 of deeds in this State, a certificate of association, in which shall be stated
6 the name or title by which such corporation, association or society shall be
7 known in law; the location of its principal business office (which office must
8 be located in this State); the name and residence of the incorporators; the

9 object of the corporation, with its plan of doing business clearly and fully
 10 defined; the number of its directors, trustees or managers, and the names of
 11 those selected to serve until its first annual meeting; the limits as to age of
 12 applicants for membership, and whether medical examinations are required;
 13 and that *bona fide* applications have been secured for at least \$200,000, by
 14 not less than two hundred persons, which certificate of association shall be
 15 submitted to the Auditor of Public Accounts, who shall carefully examine
 16 the same; and, if he shall find that the objects and purposes are fully and
 17 definitely set forth, and are clearly within the provisions of this act, and
 18 that the name or title is not the same or does not so closely resemble a title
 19 in use as to have a tendency to mislead the public, shall approve the same.
 20 If for either of the aforesaid, or other good and sufficient reasons, the said
 21 Auditor shall be unwilling to approve the certificate of association, he shall
 22 immediately inform the incorporators of the fact, stating his objections fully
 23 in writing. If the certificate is sufficient and satisfactory, the said Auditor
 24 shall indicate his approval thereof under his hand and official seal, and shall
 25 forthwith file the same, together with the certificate of association, and
 26 other papers accompanying it, in the office of Secretary of State.

§ 3. Upon the filing of the papers as aforesaid, the Secretary of State
 2 shall issue a certificate of organization of the corporation, association or
 3 society, making as a part thereof a copy of all papers filed in his office in and
 4 about the organization thereof, and duly authenticated under his hand and
 5 seal of State; and the same shall be recorded in a book kept for that pur-
 6 pose in the office of the recorder of deeds of the county in which the prin-
 7 cipal place of business of such corporation, association or society is located.

§ 4. A corporation, association or society organized under the provisions
 2 of this act shall be a body corporate and politic, by the name stated in the
 3 certificate of organization, and by that name they and their successors may
 4 have succession, and shall be persons in law capable of suing and being
 5 sued; and may have power to make and enforce contracts in relation to the
 6 legitimate business of their corporation, association or society; may have
 7 and use a common seal and may change or alter the same at pleasure, and

8 they and their successors in their corporate name shall in law be capable of
 9 taking, purchasing, holding and disposing of real and personal estate for
 10 the purposes of their association or society; may make by-laws not inconsis-
 11 tent with the constitution and laws of this State or of the United States,
 12 which by-laws shall define the manner and form of electing directors, trus-
 13 tees or managers and officers of the corporation, association or society, and
 14 the qualification and duties of the same, with terms of office, not exceeding
 15 three years, and, also, the qualifications and privileges of the members
 16 thereof.

§ 5. The affairs of all corporations, associations or societies organized or
 2 doing business under the provisions of this act, shall be managed by not
 3 less than five directors, trustees or managers, a majority of whom shall be
 4 residents of the State of Illinois, who shall be elected from and by the
 5 members, at such time and place, and for such period not exceeding three
 6 years, as may be provided for in the by-laws, and may be eligible for
 7 re-election: *Provided*, that as near as practicable an equal number shall be
 8 elected each year. Whenever directors, trustees or managers shall be elected,
 9 a certificate under the seal of the corporation, giving the name and resi-
 10 dence of those elected and the term of their office, shall be recorded in the
 11 office of the recorder of deeds where the certificate of organization is
 12 recorded. Vacancies in the board of directors, trustees or managers, shall
 13 be filled in the manner provided in the by-laws, and upon filling any
 14 vacancy a like certificate shall be recorded.

§ 6. Assessment notices sent to members by any association or corporation
 2 doing business under the provisions of this act, shall state the object or
 3 objects for which the money to be collected is intended; and no part of the
 4 funds collected for the payment of death benefits shall be applied for any
 5 other purpose.

§ 7. Any agent, physician or other person, who shall knowingly secure, or
 2 cause to be secured, a certificate of membership on any person, without his
 3 knowledge or consent, or by means of misrepresentation, false, fraudulent
 4 or untrue statements, be instrumental in securing a certificate of membership

5 on any aged or infirm person, or restore to membership any person not in an
6 insurable condition, shall be deemed guilty of a misdemeanor, and upon
7 conviction thereof shall be fined in a sum not less than \$100, nor more than
8 \$1,000, or imprisoned in the county jail not less than thirty days nor more
9 than one year, or both, in the discretion of the court; and said certificate
10 or renewal, so secured shall be absolutely void.

§ 8. All corporations, associations or societies transacting business under
2 the provisions of this act, may provide, by by-laws, for the accumulation of
3 a surplus, general or guarantee fund, which may be invested only in the cor-
4 porate name of the association or society, in United States, State, county,
5 city or other first-class convertible bonds or stocks, upon which interest has
6 not been in default. Such funds, when so set apart, and so invested, shall,
7 with the increase thereof, belong to such corporation, association or society,
8 and not to the directors, trustees, managers or officers thereof; and shall be
9 used only for mortuary benefits, without assessment, or applied in payment
10 of future assessments, or otherwise used for the promotion of the object or
11 objects for which said funds are specially provided and set apart, and such
12 use shall not be deemed or construed to mean a profit received by members
13 within the meaning of the statutes of this State.

§ 9 All corporations, associations or societies, except secret societies,
2 organized under the provisions of this act, or that have heretofore been
3 organized within this State, under any charter, compact or agreement or
4 statute of this State, for the purpose of furnishing life, accident or per-
5 manent disability, indemnity or mortuary benefit on the assessment plan, in
6 accordance with the provisions of the first section of this act, shall not be
7 deemed insurance companies, nor subject to the laws of this State relating
8 thereto, but shall comply with, and conform to all the requirements and
9 provisions of this act; and shall, by their president and secretary, or like
10 officers, make to the Auditor of Public Accounts annually, on or before the
11 first day of March, in each and every year, a statement, under oath, for the
12 year ending on the thirty-first day of December, next preceding, upon blanks
13 furnished by the said Auditor, which blanks shall be such as will show its

14 financial condition, assets, liabilities, total amount of indemnity in force,
 15 number of members, number whose memberships have terminated during
 16 the year and cause thereof, total receipts and sources thereof, total expendi-
 17 tures and objects thereof, and the average amount paid on each certificate,
 18 and shall pay to the said Auditor upon filing said certificate, a fee of \$5,
 19 and the said Auditor shall publish said statement in his annual report:
 20 *Provided*, that nothing herein contained shall be held to apply to any
 21 organization of a purely social, religious or benevolent character, where no
 22 commissions are paid and no salaried officers or agents employed; nor to any
 23 local association or society organized under, or subject to, the control of a
 24 grand or supreme body.

§ 10. The Auditor of Public Accounts shall have authority, in person, or
 2 by an expert for that purpose appointed, to verify the statements aforesaid,
 3 by examination of the books and papers of the corporation, and make such
 4 other examination as he may deem necessary. The expense of such exami-
 5 nation shall be paid by the corporation, association or society, having its
 6 books examined, and shall not exceed the necessary expenses of said
 7 Auditor.

§ 11. The Auditor of Public Accounts shall, at the request of any cor-
 2 poration association or society doing business under the provisions of this
 3 act in this State on the assessment plan, make an examination of such cor-
 4 poration, and shall furnish a certificate of the results of such examination,
 5 showing all its assets, and how invested, and such other particulars as may
 6 be deemed necessary to show the character and condition of said corpora-
 7 tion, and the necessary expense of the said examination, shall be paid by
 8 the corporation requesting the same.

§ 12. Whenever any corporation, association or society organized, or
 2 having transacted business under the provisions of this act, shall neglect or
 3 refuse to make its annual statements as required by this act, or whenever
 4 the said Auditor shall find, upon examination as provided in section 10, of
 5 this act, that any willfully, false or untrue statements in any material
 6 respect have been made, or that the business of the corporation, association

7 or society has been conducted fraudulently, or in willful violation of any of
8 the provisions of this act, or that the corporation has transacted business
9 different from that authorized by its certificate of incorporation, he shall
10 communicate the fact to the Attorney General, whose duty it shall be to
11 apply to the circuit court where its principal office is located, for an order
12 requiring the officers, or directors, trustees or managers of such corporation
13 to show cause why they should not be removed from office, or its business
14 closed, and the court shall thereupon hear the allegations and proofs of the
15 respective parties, and, if it shall appear to the satisfaction of the said
16 court that any one or more of them have been guilty of fraud or a y
17 material irregularity or violation of law to the injury of the said corpora-
18 tion, association or society, or of non-compliance with any of the provisions
19 of this act, the court shall decree a removal from office of the guilty party
20 or parties, which decree shall forever debar him or them from holding a
21 similar office, and shall substitute a suitable person or persons to serve until
22 the regular annual meeting, or until a successor, or successors, are regularly
23 chosen or elected; or if it shall appear to the said court that the interests
24 of its members, or the general public so require, the court may decree a
25 dissolution of such corporation, association or society and a distribution of
26 its effects.

§ 13. Any officer, director, trustee or manager, or any other person having
2 charge of the books and papers of any corporation conducting business
3 under the provisions of this act who shall willfully neglect or refuse to
4 comply with the provisions of this act, shall be subject to a fine of not less
5 than \$10, nor more than \$100 for each offense. Any person who shall act as
6 agent, or be instrumental in securing or inducing any person to become a
7 member of any assessment plan, corporation, association or society that has
8 not complied with the provisions of this act, shall be deemed guilty of a
9 misdemeanor, and shall be subject to a fine of not less than \$10, nor more
10 than \$50 for each offense, and shall be imprisoned in the county jail, located
11 in the county where the conviction is secured, until such fine is paid, not
12 exceeding thirty days for each conviction.

§ 14. The first statement to the Auditor of Public Accounts, as required under the provisions of section 10, of this act, shall be made on or before the first day of September, A. D. 1883, and shall embrace all the facts required by the provisions of this act, from the date of organization up to the thirty-first day of December, A. D. 1882. Any corporation, association or society failing or refusing to make the statement required by this section within the time specified, shall be proceeded against in the same manner and shall be subject to the same penalty as provided in section 12, of this act.

§ 15. Any corporation, association or society organized under the laws of any other State or government, for the purpose of furnishing life, accident or permanent disability indemnity upon the assessment plan, or that is carrying on the business of life or accident insurance on the assessment plan, as provided in section 1, complying with the provisions of this act, shall be licensed by the Auditor of Public Accounts, upon the payment to him of a fee of \$25, to do business in this State, provided such corporation, association or society shall first deposit with the said auditor a certified copy of its charter, or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by its president and secretary, or like officers, showing a detailed account of expenses and income, the amount of life indemnity in force, its assets and liabilities in detail, number of members, and a certificate sworn to by the president and secretary, or like officers, setting forth that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership to the full limit named therein; a certificate from the State official charged with the enforcement of the insurance laws, or, if there be no such official, a certificate from the Attorney General of its home State, certifying that corporations, associations or societies furnishing life indemnity on the assessment plan, and whose ordinary assessments are sufficient to pay its maximum certificate in full, and are chartered under the laws of this State, are legally entitled to do business in its home State, a copy of its policy, or certificate of membership, application, and by-laws, which must show that death losses are in

25 the main provided for by assessments upon the surviving members; and it
26 shall legally designate a person or agent residing in this State, to receive
27 service of process for said corporation, or in default of such designation,
28 service of process may be made upon the Auditor of Public Accounts of
29 Illinois, who shall be deemed its agent for that purpose, and he shall im-
30 mediately notify any corporation thus served.

§ 16. Such corporations, associations or societies, shall pay to the said Audi-
2 tor, upon filing each annual statement, a fee of \$10, and in the event of its fail-
3 ure to make such statement, on or before the first day of March, of each
4 year, the said Auditor shall revoke its license, and thereafter, or until such
5 statement is made, it shall be deemed to be doing business unlawfully, in
6 this State. When the Auditor of Public Accounts shall have reason to
7 doubt the solvency of any foreign corporation, association or society, acting
8 under the provisions of this act, and when he is not fully satisfied with the
9 certificate of the insurance commissioner, or other like officer, he may pro-
10 ceed to make an examination as provided in this act, for the examination of
11 corporations organized in this State, and should he find that it has made
12 fraudulent or untrue statements, or that it is conducting its business in an
13 irregular and illegal manner, or if he shall be of the opinion that any such
14 corporation is, in this State, conducting its business fraudulently, or is not
15 in good faith carrying out its contracts with its members in this State, he
16 shall report the same to the Attorney General, who shall thereupon commence
17 proceedings by writ of *quo warranto* against such corporation or association,
18 requiring it to show cause why its license to do business in this State should
19 not be revoked. And any such foreign corporation or association now doing
20 business in this State, that shall refuse or neglect to comply with the pro-
21 visions of this act, within the space of ninety days after passage thereof,
22 shall be deemed to be doing business unlawfully; and if any officer, agent
23 or employee of any such corporation or association shall do business in this
24 State, or assist in, or knowingly permit the same, unless such corporation or
25 association has complied with the provisions of the laws of this State appli-
26 cable to the same, he shall be deemed guilty of a misdemeanor, and upon

27 conviction thereof, shall be fined not less than \$50, nor more than \$1,000, or
28 imprisonment in the county jail not less than thirty days nor more than one
29 year, or both, in the discretion of the court.

§ 17. All laws or part of laws in conflict with this act, are hereby re-
3 pealed.

AMENDMENTS ADOPTED BY THE COMMITTEE ON INSURANCE TO
SENATE BILL NO. 314.

1. Amend section one (1), by inserting after the word "life," in line 3, of
2 said written bill, the words, "or accident."
- 3 2. Amend section fifteen (15), by striking out in line 4 thereof, the words,
4 "indemnity upon," and insert in lieu thereof the following: "Or accident
5 indemnity upon the assessment plan, or that is carrying on the business of
6 life or accident insurance on."

1. Introduced by Mr. Needles, March 8, 1883, and ordered to first reading.
2. First reading March 8, 1883, and referred to Committee on Insurance.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 23, 1883, and made a special order March 29, amended, and ordered to a third reading.

A BILL

For An Act to provide for the organization and management of corporations, associations or societies, for the purpose of furnishing life, accident or permanent disability indemnity or pecuniary benefits to the widows, heirs and devisees of deceased members thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That corporations, associations or societies for the pur-
3 pose of furnishing life, accident or permanent disability indemnity or
4 pecuniary benefits to the widows, orphans, heirs or relatives by consanguinity
5 or affinity, devisees or legatees of deceased members thereof, and to persons
6 having an insurable interest, and where members shall receive no money as
7 profit, and where the funds for the payment of such benefits shall be
8 secured, in whole or in part, by assessment upon the surviving members,
9 may be organized, subject to the conditions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of
2 whom shall be *bona fide* citizens and voters of this State, may associate
3 themselves together as a body corporate, for which purpose they shall make,
4 sign and acknowledge, before any officer authorized to take acknowledgments
5 of deeds in this State, a certificate of association, in which shall be stated
6 the name or title by which such corporation, association or society shall be
7 known in law; the location of its principal business office (which office must

8 be located in this State); the name and residence of the incorporators; the
9 object of the corporation, with its plan of doing business clearly and fully
10 defined; the number of its directors, trustees or managers, and the names of
11 those selected to serve until its first annual meeting; the limits as to age of
12 applicants for membership, and whether medical examinations are required;
13 and that *bona fide* applications have been secured for at least \$200,000, by
14 not less than two hundred persons, which certificate of association shall be
15 submitted to the Auditor of Public Accounts, who shall carefully examine
16 the same; and, if he shall find that the objects and purposes are fully and
17 definitely set forth, and are clearly within the provisions of this act, and
18 that the name or title is not the same or does not so closely resemble a title
19 in use as to have a tendency to mislead the public, shall approve the same.
20 If for either of the aforesaid, or other good and sufficient reasons, the said
21 Auditor shall be unwilling to approve the certificate of association, he shall
22 immediately inform the incorporators of the fact, stating his objections fully
23 in writing. If the certificate is sufficient and satisfactory, the said Auditor
24 shall indicate his approval thereof under his hand and official seal, and shall
25 forthwith file the same, together with the certificate of association, and
26 other papers accompanying it, in the office of Secretary of State.

§ 3. Upon the filing of the papers as aforesaid, the Secretary of State
2 shall issue a certificate of organization of the corporation, association or
3 society, making as a part thereof a copy of all papers filed in his office in
4 and about the organization thereof, and duly authenticated under his hand
5 and seal of State; and the same shall be recorded in a book kept for that
6 purpose in the office of the recorder of deeds of the county in which the
7 principal place of business of such corporation, association or society is
8 located.

§ 4. A corporation, association or society organized under the provisions
2 of this act shall be a body corporate and politic, by the name stated in the
3 certificate of organization, and by that name they and their successors may
4 have succession, and shall be persons in law capable of suing and being
5 sued; and may have power to make and enforce contracts in relation to the

6 legitimate business of their corporation, association or society; may have
 7 and use a common seal and may change or alter the same at pleasure, and
 8 they and their successors in their corporate name shall in law be capable of
 9 taking, purchasing, holding and disposing of real and personal estate for
 10 the purposes of their association or society; may make by-laws not inconsis-
 11 tent with the constitution and laws of this State or of the United States,
 12 which by-laws shall define the manner and form of electing directors, trus-
 13 tees or managers and officers of the corporation, association or society, and
 14 the qualification and duties of the same, with terms of office, not exceeding
 15 three years, and, also, the qualifications and privileges of the members
 16 thereof.

§ 5. The affairs of all corporations, associations or societies organized or
 2 doing business under the provisions of this act, shall be managed by not
 3 less than five directors, trustees or managers, a majority of whom shall be
 4 residents of the State of Illinois, who shall be elected from and by the
 5 members, at such time and place, and for such period not exceeding three
 6 years, as may be provided for in the by-laws, and may be eligible for re-
 7 election: *Provided*, that as near as practicable an equal number shall be
 8 elected each year. Whenever directors, trustees or managers shall be elected,
 9 a certificate under the seal of the corporation, giving the name and resi-
 10 dence of those elected and the term of their office, shall be recorded in the
 11 office of the recorder of deeds where the certificate of organization is
 12 recorded. Vacancies in the board of directors, trustees or managers, shall
 13 be filled in the manner provided in the by-laws, and upon filling any
 14 vacancy a like certificate shall be recorded.

§ 6. Assessment notices sent to members by any association or corporation
 2 doing business under the provisions of this act, shall state the object or
 3 objects for which the money to be collected is intended; and no part of the
 4 funds collected for the payment of death benefits shall be applied for any
 5 other purpose.

§ 7. Any agent, physician or other person, who shall knowingly secure, or
 2 cause to be secured, a certificate of membership on any person, without his

3 knowledge or consent, or by means of misrepresentation, false, fraudulent
4 or untrue statements, be instrumental in securing a certificate of member-
5 ship on any aged or infirm person, or restore to membership any person not
6 in an insurable-condition, shall be deemed guilty of a misdemeanor, and
7 upon conviction thereof shall be fined in a sum not less than \$100, nor more
8 than \$1,000, or imprisoned in the county jail not less than thirty days nor
9 more than one year, or both, in the discretion of the court; and said certifi-
10 cate or renewal, so secured shall be absolutely void.

§ 8. All corporations, associations or societies transacting business under
2 the provisions of this act, may provide, by by-laws, for the accumulation of
3 a surplus, general or guarantee fund, which may be invested only in the
4 corporate name of the association or society, in United States, State, county,
5 city or other first-class convertible bonds or stocks, upon which interest has
6 been in default. Such funds, when so set apart, and so invested, shall,
7 with the increase thereof, belong to such corporation, association or society,
8 and not to the directors, trustees, managers or officers thereof; and shall be
9 used only for mortuary, benefits, without assessment, or applied in payment
10 of future assessments, or otherwise used for the promotion of the object or
11 objects for which said funds are specially provided and set apart, and such
12 use shall not be deemed or construed to mean a profit received by members
13 within the meaning of the statutes of this State.

§ 9. All corporations, associations or societies, except secret societies,
2 organized under the provisions of this act, or that have heretofore been
3 organized within this State, under any charter, compact or agreement or
4 statute of this State, for the purpose of furnishing life, accident or per-
5 manent disability indemnity or mortuary benefit on the assessment plan, in
6 accordance with the provisions of the first section of this act, shall not be
7 deemed insurance companies, nor subject to the laws of this State relating
8 thereto, but shall comply with, and conform to all the requirements and
9 provisions of this act; and shall, by their president and secretary, or like
10 officers, make to the Auditor of Public Accounts annually, on or before the
11 first day of March, in each and every year, a statement, under oath, for the

12 year ending on the thirty-first day of December, next preceding, upon blanks
13 furnished by the said Auditor, which blanks shall be such as will show its
14 financial condition, assets, liabilities, total amount of indemnity in force,
15 number of members, number whose memberships have terminated during
16 the year and cause thereof, total receipts and sources thereof, total expendi-
17 tures and objects thereof, and the average amount paid on each certificate,
18 and shall pay to the said Auditor upon filing said certificate, a fee of \$5,
19 and the said Auditor shall publish said statement in his annual report:
20 *Provided*, that nothing herein contained shall be held to apply to any
21 organization of a purely social, religious or benevolent character, where no
22 commissions are paid and no salaried officers or agents employed; nor to any
23 local association or society organized under, or subject to, the control of a
24 grand or supreme body.

§ 10. The Auditor of Public Accounts shall have authority, in person, or
2 by an expert for that purpose appointed, to verify the statements aforesaid,
3 by examination of the books and papers of the corporation, and make such
4 other examination as he may deem necessary. The expense of such exami-
5 nation shall be paid by the corporation, association or society, having its
6 books examined, and shall not exceed the necessary expenses of said
7 Auditor.

§ 11. The Auditor of Public Accounts shall, at the request of any cor-
2 poration association or society doing business under the provisions of this
3 act in this State on the assessment plan, make an examination of such cor-
4 poration, and shall furnish a certificate of the results of such examination,
5 showing all its assets, and how invested, and such other particulars as may
6 be deemed necessary to show the character and condition of said corpora-
7 tion, and the necessary expense of the said examination, shall be paid by
8 the corporation requesting the same.

§ 12. Whenever any corporation, association or society organized, or
2 having transacted business under the provisions of this act, shall neglect or
3 refuse to make its annual statements as required by this act, or whenever
4 the said Auditor shall find, upon examination as provided in section 10, of

5 this act, that any willfully, false or untrue statements in any material
6 respect have been made, or that the business of the corporation, association
7 or society has been conducted fraudulently, or in willful violation of any of
8 the provisions of this act, or that the corporation has transacted business
9 different from that authorized by its certificate of incorporation, he shall
10 communicate the fact to the Attorney General, whose duty it shall be to
11 apply to the circuit court where its principal office is located, for an order
12 requiring the officers, or directors, trustees or managers of such corporation
13 to show cause why they should not be removed from office, or its business
14 closed, and the court shall thereupon hear the allegations and proofs of the
15 respective parties, and, if it shall appear to the satisfaction of the said
16 court that any one or more of them have been guilty of fraud or any
17 material irregularity or violation of law to the injury of the said corpora-
18 tion, association or society, or of non-compliance with any of the provisions
19 of this act, the court shall decree a removal from office of the guilty party
20 or parties, which decree shall forever debar him or them from holding a
21 similar office, and shall substitute a suitable person or persons to serve until
22 the regular annual meeting, or until a successor, or successors, are regularly
23 chosen or elected; or if it shall appear to the said court that the interests
24 of its members, or the general public so require, the court may decree a
25 dissolution of such corporation, association or society and a distribution of
26 its effects.

§ 13. Any officer, director, trustee or manager, or any other person having
2 charge of the books and papers of any corporation conducting business
3 under the provisions of this act, who shall willfully neglect or refuse to
4 comply with the provisions of this act, shall be subject to a fine of not less
5 than \$10, nor more than \$100 for each offense. Any person who shall act as
6 agent, or be instrumental in securing or inducing any person to become a
7 member of any assessment plan, corporation, association or society that has
8 not complied with the provisions of this act, shall be deemed guilty of a
9 misdemeanor, and shall be subject to a fine of not less than \$10, nor more
10 than \$50 for each offense, and shall be imprisoned in the county jail, located

11 in the county where the conviction is secured, until such fine is paid, not
 12 exceeding thirty days for each conviction.

§ 14. The first statement to the Auditor of Public Accounts, as required
 2 under the provisions of section 9, of this act, shall be made on or before
 3 the first day of September, A. D. 1883, and shall embrace all the facts re-
 4 quired by the provisions of this act, from the date of organization up to the
 5 thirty-first day of December, A. D. 1882. Any corporation, association or
 6 society failing or refusing to make the statement required by this section
 7 within the time specified, shall be proceeded against in the same manner
 8 and shall be subject to the same penalty as provided in section 12, of this
 9 act.

§ 15. Any corporation, association or society organized under the laws of
 2 any other State or government, for the purpose of furnishing life, accident
 3 or permanent disability indemnity, upon the assessment plan, or that is car-
 4 rying on the business of life or accident insurance on the assessment plan,
 5 as provided in section 1, complying with the provisions of this act, shall be
 6 licensed by the Auditor of Public Accounts, upon the payment to him of a
 7 fee of \$25, to do business in this State, provided such corporation, associa-
 8 tion or society shall first deposit with the said auditor a certified copy of
 9 its charter or articles of incorporation, a copy its statement of business
 10 for the preceding year, sworn to by its president and secretary, or like
 11 officers, showing a detailed account of expenses and income, the amount of
 12 life indemnity in force, its assets and liabilities in detail, number of mem-
 13 bers, and a certificate sworn to by the president and secretary, or like
 14 officers, setting forth that an ordinary assessment upon its members is suffi-
 15 cient to pay its maximum certificate of membership to the full limit named
 16 therein; a certificate from the State official charged with the enforcement of
 17 the insurance laws, or, if there be no such official, a certificate from the
 18 Attorney General of its home State, certifying that corporations, associa-
 19 tions or societies furnishing life indemnity on the assessment plan, and
 20 whose ordinary assessments are sufficient to pay its maximum certificate in
 21 full and are chartered under the laws of this State, are legally entitled

22 to do business in its home State, a copy of its policy, or certificate of mem-
23 ber-ship, application, and by laws, which must show that death losses are in
24 the main provided for by assessments upon the surviving members; and it
25 shall legally designate a person or agent residing in this State, to receive
26 service of process of said corporation, or in default of such designation,
27 service of process may be made upon the Auditor of Public Accounts of
28 Illinois, who shall be deemed its agent for that purpose, and he shall im-
29 mediately notify any corporation thus served.

§ 16. Such corporations, associations or societies, shall pay to the said Audi-
tor, upon filing each annual statement, a fee of \$10, and in the event of its
failure to make such statement, on or before the first day of March, of each
year, the Auditor shall revoke its license, and thereafter, or until such
statement is made, it shall be deemed to be doing business unlawfully, in
this State. When the Auditor of Public Accounts shall have reason to
doubt the solvency of any foreign corporation, association or society, acting
under the provisions of this act, and when he is not fully satisfied with the
certificate of the insurance commissioner, or other like officer, he may pro-
ceed to make an examination as provided in this act, for the examination of
corporations organized in this State, and should he find that it has made
fraudulent or untrue statements, or that it is conducting its business in an
irregular and illegal manner, or if he shall be of the opinion that any such
corporation is, in this State, conducting its business fraudulently, or is not
in good faith carrying out its contracts with its members in this State, he
shall report the same to the Attorney General, who shall thereupon com-
mence proceedings by writ of *quo warranto* against such corporation or asso-
ciation, requiring it to show cause why its license to do business in this
State should not be revoked. And any such foreign corporation or associa-
tion now doing business in this State, that shall refuse or neglect to com-
ply with the provisions of this act, within the space of ninety days after
passage thereof, shall be deemed to be doing business unlawfully; and if
any officer, agent or employee of any such corporation or association shall
do business in this State, or assist in, or knowingly permit the same, unless

25 such corporation or association has complied with the provisions of the laws
26 of this State applicable to the same, he shall be deemed guilty of a misde-
27 meanor, and upon conviction thereof, shall be fined not less than \$50, nor
28 more than \$1,000, or imprisonment in the county jail not less than thirty
29 days nor more than one year, or both, in the discretion of the court.

§ 17. All laws or part of laws in conflict with this act, are hereby
2 repealed.

1. Introduced by Mr. Needles, March 8, 1883, and ordered to first reading.
2. First reading March 8, 1883, and referred to Committee on Insurance.
3. Reported back March 14, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading March 23, 1883, and made a special order. March 29, amended, and ordered to a third reading.

A BILL

For An Act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life, accident or permanent disability indemnity or pecuniary benefits to the widows, heirs and devisees of deceased members thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That corporations, associations or societies for the pur-
3 pose of furnishing life, accident or permanent disability indemnity or
4 pecuniary benefits to the widows, orphans, heirs or relatives by consan-
5 guinity or affinity, devisees or legatees of deceased members thereof, and to per-
6 sons having an insurable interest, and where members shall receive no money
7 as profit, and where the funds for the payment of such benefits shall be
8 secured, in whole or in part, by assessment upon the surviving members,
9 may be organized, subject to the conditions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of
2 whom shall be *bona fide* citizens and voters of this State, may associate
3 themselves together as a body corporate, for which purpose they shall make,
4 sign and acknowledge, before any officer authorized to take acknowledgments
5 of deeds in this State, a certificate of association, in which shall be stated
6 the name or title by which such corporation, association or society shall be
7 known in law; the location of its principal business office (which office must

8 be located in this State); the name and residence of the incorporators; the
 9 object of the corporation, with its plan of doing business clearly and fully
 10 defined; the number of its directors, trustees or managers, and the names of
 11 those selected to serve until its first annual meeting; the limits as to age of
 12 applicants for membership, and whether medical examinations are required;
 13 and that *bona fide* applications have been secured for at least \$200,000, by
 14 not less than two hundred persons, which certificate of association shall be
 15 submitted to the Auditor of Public Accounts, who shall carefully examine
 16 the same; and, if he shall find that the objects and purposes are fully and
 17 definitely set forth, and are clearly within the provisions of this act, and
 18 that the name or title is not the same or does not so closely resemble a title
 19 in use as to have a tendency to mislead the public, shall approve the same.
 20 If for either of the aforesaid, or other good and sufficient reasons, the said
 21 Auditor shall be unwilling to approve the certificate of association, he shall
 22 immediately inform the incorporators of the fact, stating his objections fully
 23 in writing. If the certificate is sufficient and satisfactory, the said Auditor
 24 shall indicate his approval thereof under his hand and official seal, and shall
 25 forthwith file the same, together with a certificate of association, and
 26 other papers accompanying it, in the office of the Secretary of State.

§ 3. Upon the filing of the papers as aforesaid, the Secretary of State
 2 shall issue a certificate of organization of the corporation, association or
 3 society, making as a part thereof a copy of all papers filed in his office in
 4 and about the organization thereof, and duly authenticated under his hand
 5 and seal of State; and the same shall be recorded in a book kept for that
 6 purpose in the office of the recorder of deeds of the county in which the
 7 principal place of business of such corporation, association or society is
 8 located.

§ 4. A corporation, association or society organized under the provisions
 2 of this act shall be a body corporate and politic, by the name stated in the
 3 certificate of organization, and by that name they and their successors may
 4 have succession, and shall be persons in law capable of suing and being
 5 sued; and may have power to make and enforce contracts in relation to the

6 legitimate business of their corporation, association or society; may have
7 and use a common seal and may change or alter the same at pleasure, and
8 they and their successors in their corporate name shall in law be capable of
9 taking, purchasing, holding and disposing of real and personal estate for
10 the purposes of their association or society; may make by-laws not inconsis-
11 tent with the constitution and laws of this State or of the United States,
12 which by-laws shall define the manner and form of electing directors, trust-
13 ees or managers and officers of the corporation, association or society, and
14 the qualifications and duties of the same, with terms of office, not exceeding
15 three years, and, also, the qualifications and privileges of the members
16 thereof.

§ 5. The affairs of all corporations, associations or societies organized or
2 doing business under the provisions of this act, shall be managed by not
3 less than five directors, trustees or managers, a majority of whom shall be
4 residents of the State of Illinois, who shall be elected from and by the
5 members, at such time and place, and for such period not exceeding three
6 years, as may be provided for in the by-laws, and may be eligible for re-
7 election: *Provided*, that as near as practicable an equal number shall be
8 elected each year. Whenever directors, trustees or managers shall be elected,
9 a certificate under the seal of the corporation, giving the name and resi-
10 dence of those elected and the term of their office, shall be recorded in the
11 office of the recorder of deeds where the certificate of organization is
12 recorded. Vacancies in the board of directors, trustees or managers, shall
13 be filled in the manner provided in the by-laws, and upon filling any
14 vacancy a like certificate shall be recorded.

§ 6. Assessment notices sent to members by any association or corporation
2 doing business under the provisions of this act, shall state the object or
3 objects for which the money to be collected is intended; and no part of the
4 funds collected for the payment of death benefits shall be applied for any
5 other purpose.

§ 7. Any agent, physician or other person, who shall knowingly secure, or
2 cause to be secured, a certificate of membership on any person, without his

3 knowledge or consent, or, by means of misrepresentation, false, fraudulent
4 or untrue statements, be instrumental in securing a certificate of member-
5 ship on any aged or infirm person, or restore to membership any person not
6 in an insurable condition, shall be deemed guilty of a misdemeanor, and
7 upon conviction thereof shall be fined in a sum not less than \$100, nor more
8 than \$1,000, or imprisoned in the county jail not less than thirty days nor
9 more than one year, or both, in the discretion of the court; and said certifi-
10 cate or renewal so secured shall be absolutely void.

§ 8. All corporations, associations or societies transacting business under
2 the provisions of this act may provide, by by-laws, for the accumulation of
3 a surplus, general or guarantee fund, which may be invested only in the
4 corporate name of the association or society, in United States, State, county,
5 city or other first-class convertible bonds or stocks, upon which interest has not
6 been in default. Such funds, when so set apart, and so invested, shall,
7 with the increase thereof, belong to such corporation, association or society,
8 and not to the directors, trustees, managers or officers thereof; and shall be
9 used only for mortuary benefits, without assessment, or applied in payment
10 of future assessments, or otherwise used for the promotion of the object or
11 objects for which said funds are specially provided and set apart, and such
12 use shall not be deemed or construed to mean a profit received by members
13 within the meaning of the statutes of this State.

§ 9. All corporations, associations or societies, except secret societies,
2 organized under the provisions of this act, or that have heretofore been
3 organized within this State, under any charter, compact or agreement or
4 statute of this State, for the purpose of furnishing life, accident or per-
5 manent disability indemnity or mortuary benefit on the assessment plan, in
6 accordance with the provisions of the first section of this act, shall not be
7 deemed insurance companies, nor subject to the laws of this State relating
8 thereto, but shall comply with, and conform to all the requirements and
9 provisions of this act; and shall, by their president and secretary, or like
10 officers, make to the Auditor of Public Accounts annually, on or before the
11 first day of March, in each and every year, a statement, under oath, for the

12 year ending on the thirty-first day of December next preceding, upon blanks
13 furnished by the said Auditor, which blanks shall be such as will show its
14 financial condition, assets, liabilities, total amount of indemnity in force,
15 number of members, number whose memberships have terminated during
16 the year and cause thereof, total receipts and sources thereof, total expendi-
17 tures and objects thereof, and the average amount paid on each certificate,
18 and shall pay to the said Auditor, upon filing, said certificate, a fee of \$5,
19 and the said Auditor shall publish said statement in his annual report:
20 *Provided*, that nothing herein contained shall be held to apply to any
21 organization of a purely social, religious or benevolent character, where no
22 commissions are paid and no salaried officers or agents employed; nor to any
23 local association or society organized under, or subject to, the control of a
24 grand or supreme body.

§ 10. The Auditor of Public Accounts shall have authority, in person, or
2 by an expert for that purpose appointed, to verify the statements aforesaid,
3 by examination of the books and papers of the corporation, and make such
4 other examination as he may deem necessary. The expense of such exami-
5 nation shall be paid by the corporation, association or society having its
6 books examined, and shall not exceed the necessary expenses of said
7 Auditor.

§ 11. The Auditor of Public Accounts shall, at the request of any cor-
2 poration, association or society doing business under the provisions of this
3 act in this State on the assessment plan, make an examination of such cor-
4 poration, and shall furnish a certificate of the results of such examination,
5 showing all its assets, and how invested, and such other particulars as may
6 be deemed necessary to show the character and condition of said corpora-
7 tion, and the necessary expense of the said examination shall be paid by
8 the corporation requesting the same.

§ 12. Whenever any corporation, association or society, organized or
2 having transacted business under the provisions of this act, shall neglect or
3 refuse to make its annual statements as required by this act, or whenever
4 the said Auditor shall find, upon examination as provided in section 10, of

5. this act that any willfully, false or untrue statements in any material
 6 respect have been made, or that the business of the corporation, association
 7 or society has been conducted fraudulently, or in willful violation of any of
 8 the provisions of this act, or that the corporation has transacted business
 9 different from that authorized by its certificate of incorporation, he shall
 10 communicate the fact to the Attorney General, whose duty it shall be to
 11 apply to the circuit court where its principal office is located, for an order
 12 requiring the officers, or directors, trustees or managers of such corporation
 13 to show cause why they should not be removed from office, or its business
 14 closed; and the court shall thereupon hear the allegations and proofs of the
 15 respective parties, and if it shall appear to the satisfaction of the said
 16 court that any one or more of them have been guilty of fraud or any
 17 material irregularity or violation of law to the injury of the said corpora-
 18 tion, association or society, or of non-compliance with any of the provisions
 19 of this act, the court shall decree a removal from office of the guilty party
 20 or parties, which decree shall forever debar him or them from holding a
 21 similar office, and shall substitute a suitable person or persons to serve until
 22 the regular annual meeting, or until a successor, or successors, are regularly
 23 chosen or elected; or if it shall appear to the said court that the interests
 24 of its members or the general public so require, the court may decree a
 25 dissolution of such corporation, association or society and a distribution of
 26 its effects.

§13. Any officer, director, trustee or manager, or any other person having
 2 charge of the books and papers of any corporation conducting business
 3 under the provisions of this act, who shall willfully neglect or refuse to
 4 comply with the provisions of this act, shall be subject to a fine of not less
 5 than \$10 nor more than \$100 for each offense. Any person who shall act as
 6 agent, or be instrumental in securing or inducing any person to become a
 7 member of any assessment plan, corporation, association or society that has
 8 not complied with the provisions of this act, shall be deemed guilty of a
 9 misdemeanor, and shall be subject to a fine of not less than \$10 nor more
 10 than \$50 for each offense, and shall be imprisoned in the county jail located

11 in the county where the conviction is secured, until such fine is paid, not
 12 exceeding thirty days for each conviction.

§ 14. The first statement to the Auditor of Public Accounts, as required
 2 under the provisions of section 9 of this act, shall be made on or before
 3 the first day of September, A. D. 1883, and shall embrace all the facts re-
 4 quired by the provisions of this act, from the date of organization up to the
 5 thirty-first day of December, A. D. 1882. Any corporation, association or
 6 society failing or refusing to make the statement required by this section
 7 within the time specified, shall be proceeded against in the same manner
 8 and shall be subject to the same penalty as provided in section 12 of this
 9 act.

§ 15. Any corporation, association or society organized under the laws of
 2 any other State or government, for the purpose of furnishing life, accident
 3 or permanent disability indemnity upon the assessment plan, or that is car-
 4 rying on the business of life or accident insurance on the assessment plan,
 5 as provided in section 1, complying with the provisions of this act, shall be
 6 licensed by the Auditor of Public Accounts, upon the payment to him of a
 7 fee of \$25, to do business in this State, provided such corporation, associa-
 8 tion or society shall first deposit with the said Auditor a certified copy of
 9 its charter or articles of incorporation, a copy of its statement of business
 10 for the preceding year, sworn to by its president and secretary, or like
 11 officers, showing a detailed account of expenses and income, the amount of
 12 life indemnity in force, its assets and liabilities in detail, number of mem-
 13 bers, and a certificate sworn to by the president and secretary, or like
 14 officers, setting forth that an ordinary assessment upon its members is suffi-
 15 cient to pay its maximum certificate of membership to the full limit named
 16 therein; a certificate from the State official charged with the enforcement of
 17 the insurance laws, or, if there be no such official, a certificate from the
 18 Attorney General of its home State, certifying that corporations, associa-
 19 tions or societies furnishing life indemnity on the assessment plan, and
 20 whose ordinary assessments are sufficient to pay its maximum certificate in
 21 full, and are chartered under the laws of this State, are legally entitled

22 to do business in its home State, a copy of its policy, or certificate of mem-
 23 bership, application, and by-laws, which must show that death losses are in
 24 the main provided for by assessments upon the surviving members; and it
 25 shall legally designate a person or agent residing in this State, to receive
 26 service of process for said corporation, or in default of such designation,
 27 service of process may be made upon the Auditor of Public Accounts of
 28 Illinois, who shall be deemed its agent for that purpose, and he shall im-
 29 mediately notify any corporation thus served.

§ 16. Such corporations, associations or societies shall pay to the said Audi-
 2 tor, upon filing each annual statement, a fee of \$10, and in the event of its
 3 failure to make such statement on or before the first day of March, of each
 4 year, the Auditor shall revoke its license, and thereafter, or until such
 5 statement is made, it shall be deemed to be doing business unlawfully in
 6 this State. When the Auditor of Public Accounts shall have reason to
 7 doubt the solvency of any foreign corporation, association or society, acting
 8 under the provisions of this act, and when he is not fully satisfied with the
 9 certificate of the insurance commissioner, or other like officer, he may pro-
 10 ceed to make an examination as provided in this act for the examination of
 11 corporations organized in this State, and should he find that it has made
 12 fraudulent or untrue statements, or that it is conducting its business in an
 13 irregular and illegal manner, or if he shall be of the opinion that any such
 14 corporation is, in this State, conducting its business fraudulently, or is not
 15 in good faith carrying out its contracts with its members in this State, he
 16 shall report the same to the Attorney General, who shall thereupon com-
 17 mence proceedings by writ of *quo warranto* against such corporation or asso-
 18 ciation, requiring it to show cause why its license to do business in this
 19 State should not be revoked. And any such foreign corporation or associa-
 20 tion now doing business in this State, that shall refuse or neglect to com-
 21 ply with the provisions of this act within the space of ninety days after
 22 passage thereof, shall be deemed to be doing business unlawfully; and if
 23 any officer, agent or employee of any such corporation or association shall
 24 do business in this State, or assist in, or knowingly permit the same, unless

25 such corporation or association has complied with the provisions of the laws
26 of this State applicable to the same, he shall be deemed guilty of a misde-
27 meanor, and upon conviction thereof shall be fined not less than \$50, nor
28 more than \$1,000, or imprisoned in the county jail not less than thirty
29 days nor more than one year, or both, in the discretion of the court.

§ 17. All laws or part of laws in conflict with this act, are hereby
2 repealed.

1. Reported to House, April 21, 1883.
2. First reading, April 25, 1883, and referred to Committee on Insurance.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 3, 1883.

COMMITTEE AMENDMENTS TO SENATE BILL 314 IN HOUSE.

1. Amend the title by striking out all after the word "life," at end of
2 third line, and by inserting in lieu thereof "indemnity or pecuniary benefits
3 to widows, orphans, heirs, relatives and devisees of deceased members, or
4 accident or permanent disability indemnity to members thereof."
- 5 2. Amend section 1, by striking out the words "accident or permanent
6 disability" in lines 5 and 6 of said section.
7 Also, by striking out the words "thereof and to persons having an insurable
8 interest," in lines 11 and 12, and by inserting in lieu thereof "or accident or
9 permanent disability indemnity to members thereof."
- 10 3. Amend section 7, by striking out the word "restore," in line 13, and by
11 substituting therefor the words "in restoring."
- 12 4. Amend section 9, by striking out the words "except secret societies," in
13 lines 2 and 3, and by adding to said section the following: "Nor to any
14 secret organization, having subordinate lodges or councils, which has been
15 organized under the laws of this or any other State, and which is now
16 permitted to do business in this State."
- 17 5. Amend section 10, by inserting the words "traveling and hotel,"
18 immediately after the word "necessary," in line 13, and by adding after the
19 word Auditor, in the last line, the words "or expert."
- 20 6. Amend section 15, by inserting after the word "government," in line 3,
21 the following: "Except secret societies having subordinate lodges or
22 councils, and which are now permitted to do business in this State."
23 Also, by inserting after the word "plan," in line 7, the following: "Where
24 benefits are paid to such as have an insurable interest only."

A BILL

For An Act to provide for the organization and management of corporations, associations or societies, for the purpose of furnishing life, accident or permanent disability indemnity or pecuniary benefits to the widows, heirs and devisees of deceased members thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That corporations, associations or societies for the purpose
3 of furnishing life, accident or permanent disability indemnity or pecuniary
4 benefits to the widows, orphans, heirs or relatives by consanguinity or affinity,
5 devisees or legatees of deceased members thereof, and to persons having an
6 insurable interest, and where members shall receive no money as profit,
7 and where the funds for the payment of such benefits shall be secured, in
8 whole or in part, by assessment upon the surviving members, may be
9 organized, subject to the conditions hereinafter provided.

§ 2. Any five or more persons, citizens of the United States, a majority of
2 whom shall be *bona fide* citizens and voters of this State, may associate
3 themselves together as a body corporate, for which purpose they shall make,
4 sign and acknowledge, before any officer authorized to take acknowledgments
5 of deeds in this State, a certificate of association, in which shall be stated
6 the name or title by which such corporation, association or society shall be
7 known in law; the location of its principal business office (which office must
8 be located in this State); the name and residence of the incorporators; the
9 object of the corporation, with its plan of doing business clearly and fully
10 defined; the number of its directors, trustees or managers, and the names of
11 those selected to serve until its first annual meeting; the limits as to age of
12 applicants for membership, and whether medical examinations are required;
13 and that *bona fide* applications have been secured for at least \$200,000, by not
14 less than two hundred persons, which certificate of association shall be

15 submitted to the Auditor of Public Accounts, who shall carefully examine
 16 the same; and, if he shall find that the objects and purposes are fully and
 17 definitely set forth, and are clearly within the provisions of this act, and
 18 that the name or title is not the same or does not so closely resemble a title
 19 in use as to have a tendency to mislead the public, shall approve the same.
 20 If for either of the aforesaid, or other good and sufficient reasons, the said
 21 Auditor shall be unwilling to approve the certificate of association, he shall
 22 immediately inform the incorporators of the fact, stating his objections fully
 23 in writing. If the certificate is sufficient and satisfactory, the said Auditor
 24 shall indicate his approval thereof under his hand and official seal, and shall
 25 forthwith file the same, together with a certificate of association and other
 26 papers accompanying it, in the office of the Secretary of State.

§ 3. Upon the filing of the papers as aforesaid, the Secretary of State shall
 2 issue a certificate of organization of the corporation, association or society,
 3 making as a part thereof a copy of all papers filed in his office in and about
 4 the organization thereof, and duly authenticated under his hand and seal of
 5 State; and the same shall be recorded in a book kept for that purpose in
 6 the office of the recorder of deeds of the county in which the principal place
 7 of business of such corporation, association or society is located.

§ 4. A corporation, association or society organized under the provisions
 2 of this act shall be a body corporate and politic, by the name stated in the
 3 certificate of organization, and by that name they and their successors may
 4 have succession, and shall be persons in law capable of suing and being
 5 sued; and may have power to make and enforce contracts in relation to the
 6 legitimate business of their corporation, association or society; may have
 7 and use a common seal and may change or alter the same at pleasure, and
 8 they and their successors in their corporate name shall in law be capable of
 9 taking, purchasing, holding and disposing of real and personal estate for
 10 the purposes of their association or society; may make by-laws not inconsis-
 11 tent with the constitution and laws of this State or of the United States,
 12 which by-laws shall define the manner and form of electing directors, trus-
 13 tees or managers and officers of the corporation, association or society, and

14 the qualifications and duties of the same, with terms of office, not exceeding
15 three years, and, also, the qualifications and privileges of the members
16 thereof.

§ 5. The affairs of all corporations, associations or societies organized or
2 doing business under the provisions of this act, shall be managed by not
3 less than five directors, trustees or managers, a majority of whom shall be
4 residents of the State of Illinois, who shall be elected from and by the
5 members at such time and place, and for such period not exceeding three
6 years, as may be provided for in the by-laws, and may be eligible for re-
7 election: *Provided*, that as near as practicable an equal number shall be
8 elected each year. Whenever directors, trustees or managers shall be elected,
9 a certificate under the seal of the corporation, giving the name and resi-
10 dence of those elected and the term of their office, shall be recorded in the
11 office of the recorder of deeds where the certificate of organization is
12 recorded. Vacancies in the board of directors, trustees or managers shall
13 be filled in the manner provided in the by-laws, and upon filling any vacancy
14 a like certificate shall be recorded.

§ 6. Assessment notices sent to members by any association or corporation
2 doing business under the provisions of this act, shall state the object or
3 objects for which the money to be collected is intended; and no part of the
4 funds collected for the payment of death benefits shall be applied for any
5 other purpose.

§ 7. Any agent, physician or other person who shall knowingly secure, or
2 cause to be secured, a certificate of membership on any person, without his
3 knowledge or consent, of, by means of misrepresentation, false, fraudulent
4 or untrue statements, be instrumental in securing a certificate of membership
5 on any aged or infirm person, or restore to membership any person not in an
6 insurable condition, shall be deemed guilty of a misdemeanor, and upon con-
7 viction thereof shall be fined in a sum not less than \$100, nor more than \$1,000,
8 and imprisoned in the county jail not less than thirty days nor more than
9 one year, or both, in the discretion of the court; and said certificate or
10 renewal, so secured, shall be absolutely void.

§ 8. All corporations, associations or societies transacting business under the provisions of this act, may provide, by by-laws, for the accumulation of a surplus, general or guarantee fund, which may be invested only in the corporate name of the association or society, in United States, State, county, city or other first-class convertible bonds or stocks, upon which interest has not been in default. Such funds, when so set apart, and so invested, shall, with the increase thereof, belong to such corporation, association or society, and not to the directors, trustees, managers or officers thereof; and shall be used only for mortuary benefits, without assessment, or applied in payment of future assessments, or otherwise used for the promotion of the object or objects for which said funds are specially provided and set apart, and such use shall not be deemed or construed to mean a profit received by members within the meaning of the statutes of this State.

§ 9. All corporations, associations or societies, except secret societies, organized under the provisions of this act, or that have heretofore been organized within this State, under any charter, compact or agreement or statute of this State, for the purpose of furnishing life, accident or permanent disability indemnity or mortuary benefit on the assessment plan, in accordance with the provisions of the first section of this act, shall not be deemed insurance companies, nor subject to the laws of this State relating thereto, but shall comply with, and conform to all the requirements and provisions of this act; and shall, by their president and secretary, or like officers, make to the Auditor of Public Accounts annually, on or before the first day of March, in each and every year, a statement, under oath, for the year ending on the thirty-first day of December next preceding, upon blanks furnished by the said Auditor, which blanks shall be such as will show its financial condition, assets, liabilities, total amount of indemnity in force, number of members, number whose memberships have terminated during the year and cause thereof, total receipts and sources thereof, total expenditures and objects thereof, and the average amount paid on each certificate, and shall pay to the said Auditor, upon filing said certificate, a fee of \$5, and the said Auditor shall publish said statement in his annual report.

20 *Provided*, that nothing herein contained shall be held to apply to any organ-
 21 ization of a purely social, religious or benevolent character, where no com-
 22 missions are paid and no salaried officers or agents employed; nor to any
 23 local association or society organized under, or subject to, the control of a
 24 grand or supreme body.

§ 10. The Auditor of Public Accounts shall have authority, in person or
 2 by an expert for that purpose appointed, to verify the statements aforesaid,
 3 by examination of the books and papers of the corporation, and make such
 4 other examination as he may deem necessary. The expense of such exami-
 5 nation shall be paid by the corporation, association or society having its
 6 books examined, and shall not exceed the necessary expenses of said Auditor.

§ 11. The Auditor of Public Account shall, at the request of any corpor-
 2 ation, association or society doing business under the provisions of this act,
 3 in this State on the assessment plan, make an examination of such corpor-
 4 ation, and shall furnish a certificate of the results of such examination, show-
 5 ing all its asset, and how invested, and such other particulars as may be
 6 deemed necessary to show the character and condition of said corporation,
 7 and the necessary expense of the said examination shall be paid by the
 8 corporation requesting the same.

§ 12. Whenever any corporation, association or society, organized or
 2 having transacted business under the provisions of this act, shall neglect or
 3 refuse to make its annual statements as required by this act, or whenever
 4 the said Auditor shall find, upon examination as provided in section 10, of
 5 this act, that any willfully, false or untrue statement in any material respect
 6 have been made, or that the business of the corporation, association or society
 7 has been conducted fraudently, or in willful violation of any of the provisions
 8 of this act, or that the corporation has transacted business different from that
 9 authorized by its certificate of incorporation, he shall communicate the fact to
 10 the Attorney General, whose duty it shall be to apply to the circuit court where
 11 its principal office is located, for an order requiring the officers, or directors,
 12 trustees or managers of such corporation to show cause why they should not be
 13 removed from office, or its business closed; and the court shall thereupon hear

14 the allegations and proofs of the respective parties, and if it shall appear to the
15 satisfaction of the said court that any one or more of them have been guilty of
16 fraud or any material irregularity or violation of law to the injury of the said
17 corporation, association or society, or of non-compliance with any of the pro-
18 visions of this act, the court shall decree a removal from office of the guilty
19 party or parties, which decree shall forever debar him or them from holding a
20 similar office, and shall substitute a suitable person or persons to serve until the
21 regular annual meeting, or until a successor, or successors, are regularly chosen
22 or elected; or if it shall appear to the said court that the interests of its
23 members or the general public so require, the court may decree a dissolution
24 of such corporation, association or society, and a distribution of its effects.

§ 13. Any officer, director, trustee or manager, or any other person having
2 charge of the books and papers of any corporation conducting business
3 under the provisions of this act, who shall willfully neglect or refuse to
4 comply with the provisions of this act, shall be subject to a fine of not less
5 than \$10, nor more than \$100 for each offense. Any person who shall act as
6 agent, or be instrumental in securing or inducing any person to become a
7 member of any assessment plan, corporation, association or society that has
8 not complied with the provisions of this act, shall be deemed guilty of a
9 misdemeanor, and shall be subject to a fine of not less than \$10, nor more
10 than \$50 for each offense, and shall be imprisoned in the county jail located
11 in the county where the conviction is secured, until such fine is paid, not
12 exceeding thirty days for each conviction.

§ 14. The first statement to the Auditor of Public Accounts, as required
2 under the provisions of section 9 of this act, shall be made on or before the
3 first day of September, A. D. 1883, and shall embrace all the facts required by
4 provisions of this act, from the date of organization up to the thirty-first
5 day of December, A. D. 1882. Any corporation, association or society failing
6 or refusing to make the statement required by this section within the time
7 specified, shall be proceeded against in the same manner and shall be subject
8 to the same penalty as provided in section 12 of this act.

§ 15. Any corporation, association or society organized under the laws of any other State or government, for the purpose of furnishing life, accident or permanent disability indemnity upon the assessment plan, or that is carrying on the business of life or accident insurance on the assessment plan, as provided in section 1, complying with the provisions of this act, shall be licensed by the Auditor of Public Accounts, upon the payment to him of a fee of \$25, to do business in this State, provided such corporation, association or society shall first deposit with the said Auditor a certified copy of its charter or articles of incorporation, a copy of its statement of business for the preceding year, sworn to by its president and secretary, or like officers, showing a detailed account of expenses and income, the amount of life indemnity in force, its assets and liabilities in detail, number of members, and a certificate sworn to by the president and secretary, or like officers, setting forth that an ordinary assessment upon its members is sufficient to pay its maximum certificate of membership to the full limit named therein; a certificate from the State official charged with the enforcement of the insurance laws, or if there be no such official, a certificate from the Attorney General of its home State, certifying that corporations, associations or societies furnishing life indemnity on the assessment plan, and whose ordinary assessments are sufficient to pay its maximum certificate in full, and are chartered under the laws of this State, are legally entitled to do business in its home State, a copy of its policy, or certificate of membership, application, and by-laws, which must show that death losses are, in the main, provided for by assessment upon the surviving members; and it shall legally designate a person or agent residing in this State, to receive service of process for said corporation or in default of such designation, service of process may be made upon the Auditor of Public Accounts of Illinois, who shall be deemed its agent for that purpose, and he shall immediately notify any corporation thus served.

§ 16. Such corporations, associations or societies shall pay to the said Auditor, upon filing each annual statement, a fee of \$10, and in the event of its failure to make such statement on or before the first day of March, of

4 each year, the Auditor shall revoke its license, and thereafter, or until
5 such statement is made, it shall be deemed to be doing business unlawfully
6 in this State. When the Auditor of Public Accounts shall have reason to
7 doubt the solvency of any foreign corporation, association or society, acting
8 under the provisions of this act, and when he is not fully satisfied with the
9 certificate of the insurance commissioner, or other like officer, he may proceed
10 to make an examination, as provided in this act for the examination of
11 corporations organized in this State, and should he find that it has made
12 fraudulent or untrue statements, or that it is conducting its business in an
13 irregular and illegal manner, or if he shall be of the opinion that any such
14 corporation is, in this State, conducting its business fraudulently, or is not
15 in good faith carrying out its contracts with its members in this State, he
16 shall report the same to the Attorney General, who shall thereupon commence
17 proceedings by writ of *quo warranto* against such corporation or association,
18 requiring it to show cause why its license to do business in this State should
19 not be revoked. And any such foreign corporation or association now doing
20 business in this State, that shall refuse or neglect to comply with the
21 provisions of this act within the space of ninety days after passage thereof,
22 shall be deemed to be doing business unlawfully; and if any officer, agent
23 or employee of any such corporation or association shall do business in this
24 State, or assist in, or knowingly permit the same, unless such corporation or
25 association has complied with the provisions of the laws of this State
26 applicable to the same, he shall be deemed guilty of a misdemeanor, and, upon
27 conviction thereof, shall be fined not less than \$50, nor more than \$1,000, or
28 imprisoned in the county jail not less than thirty days nor more than one year,
29 or both, in the discretion of the court.

§ 17. All laws or part of laws in conflict with this act, are hereby repealed.

HOUSE AMENDMENTS TO SENATE BILL NO 314 IN HOUSE.

1. Amend the title by striking out all after the word "life," at end of third line, and by inserting in lieu thereof "indemnity or pecuniary benefits to widows, orphans, heirs, relatives and devisees of deceased members, or accident or permanent disability indemnity to members thereof."

2. Amend section 1, by striking out the words "accident or permanent disability," in lines 5 and 6 of said section.

Also, by striking out the words "thereof and to persons having an insurable interest," in lines 11 and 12, and by inserting in lieu thereof "or accident or permanent disability indemnity to members thereof."

3. Amend section 7, by striking out the word "restore," in line 13, and by substituting therefor the words "in restoring."

4. Amend section 9, by striking out the words "except secret societies," in lines 2 and 3, and by adding to said section the following: "Nor to any secret organization, having subordinate lodges or councils, which has been organized under the laws of this or any other State, and which is now permitted to do business in this State."

5. Amend section 10, by inserting the words "traveling and hotel," immediately after the word "necessary," in line 13, and by adding after the word Auditor, in the last line, the words "or expert."

6. Amend section 15, by inserting after the word "government," in line 3, the following: "Except secret societies having subordinate lodges or councils, and which are now permitted to do business in this State."

Also, by inserting after the word "plan," in line 7, the following: "Where benefits are paid to such as have an insurable interest only."



(Substitute for Senate Bill No. 168.)

1. Introduced by Committee on Roads, Highways and Bridges, March 8, 1883, and ordered to first reading.
2. First reading March 8, 1883, and ordered to second reading.

A BILL

For An Act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly*, That all roads in this State which have been laid out in pur-
3 suance of any law of this State, or of the territory of Illinois, or which have
4 been established by dedication or used for twenty years, and which have not
5 been vacated in pursuance of law, are hereby declared to be public highways.

§ 2. The commissioners of highways shall have charge of the roads and
2 bridges of their respective towns, and it shall be their duty to keep the same in
3 repair and to improve them so far as practicable. Whenever the available
4 means at their disposal will permit, they shall construct permanent roads, begin-
5 ning where most needed. The work on roads shall be done timely and in ac-
6 cordance with the best known methods of road-making, by proper grading
7 and thorough drainage by tile or otherwise, as may be expedient, and by the
8 application of gravel, rock, or other material.

§ 3. In order to insure efficiency, they may employ a general superintendent
2 outside their own body to work and to execute their orders; or they may divide
3 the work, let contracts, appoint overseers, or employ such other agencies as
4 they may deem expedient and most to the interest of the town.

§ 4. In letting contracts, employing labor, or in purchasing tools, machinery
2 or materials, the commissioners shall not have [directly or indirectly any per-

sonal pecuniary interest in connection therewith. "The commissioners shall not have power to let any contract, purchase tools, machinery, or materials, except as ordered by the board at an authorized meeting."

§ 5. Their duties shall include:

1. To lay out, alter, widen or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.

2. To cause such roads used as highways as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty years, but not recorded, to be ascertained, described and entered of record in the town clerk's office.

3. To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.

4. To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to their towns wherever the same may be found, and not allow the same to go to waste, and not lend the same except to persons employed by them to work the roads by contract or otherwise.

5. To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, a post and guide board, with plain inscription thereon, in letters and figures, giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cockle-burs, mustard, yellow-dock, Indian mallow and gympson weed from seeding, and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway; and the said commissioners may, at their discretion, adopt any suitable and convenient mode of supplying water in troughs conveniently situated on the public highway for public use.

§ 6. Whenever the commissioners are about to lay a tile drain along a public road they shall have power, for a just consideration, to contract with the owners or occupants of adjoining lands to lay larger tile than would be necessary to drain the road, and to permit connection therewith by such contracting parties to drain their lands:

§ 7. Where willow hedges, or a line of willow trees have been planted along the margin of the road, so as to render tiling impracticable, the commissioners may contract with the owner for their destruction; and they shall be destroyed before tiling, the planting of these trees hereafter on the margin of roads where a tile drain has been laid, or is about to be laid, is hereby declared a public nuisance.

§ 8. The commissioners of the several towns are hereby authorized to enter upon any land adjacent to any highway in their town for the purpose of opening any ditch, drain, necessary sluice or water course, whenever it shall be necessary to open a water course from any highway to the natural water courses, and to dig, open and clean ditches upon said land for the purpose of carrying off the water from said highways, or to drain any slough or pond on said highway: *Provided*, that unless the owner of such land or his agent shall first consent to the cutting of such ditches, the commissioners shall apply to any justice of the peace in the county in which such road is situated, for a summons, directed to any constable of said county, commanding him to summon the said owner to appear before the said justice, at a time and place specified in such summons, not less than five nor more than fifteen days from the date thereof, for the purpose of having the damage assessed which such owner may sustain by reason of the digging or opening of such ditches or drains. The said summons shall be under the hand of such justice, and be served in the same manner as a summons is now served in civil actions before justices of the peace. On the return of such summons, a venire shall be issued for a jury, as in other cases in the trial of civil actions before justices of the peace, which jury shall assess such damages and render a verdict therefor, which shall be final and conclusive, of the amount of damages sustained by such person, and the amount so awarded shall be paid before the commissioners shall be warranted and empowered to enter upon such lands and dig, open and clean such drains, ditches and water courses as aforesaid, for the purposes contemplated in this act, and are further authorized to use and employ the poll-tax and road money of their town for such purposes: *Provided*, that in case the owner of said lands is a non-

27 resident, service may be had by leaving a copy with the occupant or agent,
 28 or by notice in the same manner as prescribed in section — of this act.

§ 9. In grading roads, whenever practicable it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and it shall be unlawful to ride or drive on such walk; and any person so
 4 offending shall be subject to a fine of five dollars for each offense. Corner
 5 stones marking sectional or other corners, shall not be disturbed, except to so
 6 grade the road that these, if in the line of travel, shall not rise above the
 7 surface, and corner stakes shall be replaced by good and substantial stones.
 8 In grading public roads if a ditch is made at the junction of roads, or at
 9 the entrance of gates or other openings of border premises, the road
 10 authorities shall construct good and sufficient culverts, or other convenient
 11 crossings.

§ 10. The commissioners shall meet with the town clerk on the second
 2 Tuesday after the annual town meeting, and organize by electing one of
 3 their number president; and they shall proceed to consult on their duties, and
 4 how best to exercise their powers as enumerated in section three of this act.
 5 Special meetings may be called by the president of the board or any two
 6 members.

§ 11. At this meeting they shall make out a list of able bodied men in
 2 their town between the ages of twenty-one and fifty years, and deliver the
 3 same to their treasurer on or before the first day of May in each year, and
 4 assess at such meeting against each person upon such list the sum of one dollar,
 5 as a poll-tax for highway purposes, to be paid to such treasurer by the first
 6 Monday in June of each year: *Provided*, that paupers, idiots, lunatics and
 7 such others as are exempt by law, shall not be compelled to pay a poll-tax for
 8 highway purposes: *Provided*, also, that this list shall not include persons
 9 within the limits of cities or incorporated villages. They shall, within ten days
 10 after such list is delivered to their treasurer, cause written or printed notices to
 11 be given to each person so assessed, notifying him of the time when, and place
 12 where such tax must be paid, or its equivalent in labor performed, and if this
 13 poll-tax shall not be paid, nor the labor performed by the first Monday of June

14 In such year, it shall be the duty of the commissioners, in the name of the
15 town, to bring suit therefor against such person before some justice of the
16 peace having jurisdiction thereof.

§ 12. The justice to whom such complaint shall be made shall
2 forthwith issue a summons, directed to any constable of the county,
3 requiring him to summons such delinquent to appear within five days
4 before such justice, according to law, for such refusal or neglect.

§ 13. On the day of trial the justice shall proceed to hear and
2 determine the case according to law, for the offense complained of, and if
3 judgment be rendered against delinquent, he shall forthwith issue an execution
4 under his hand and seal, directed to any constable of the county where such
5 delinquent shall reside, commanding him to levy such fine, with the costs of
6 the proceeding of the goods and chattels of such delinquent. "The cause of
7 the judgment" shall be endorsed on such execution and no property of the
8 delinquent shall be exempt from levy of such attachment or execution.

§ 14. The constable to whom such execution shall be delivered, shall
2 forthwith collect the moneys therein mentioned. He shall pay the fine, when
3 collected, to the justice of the peace who issued the execution, who is hereby
4 required to pay the same to the treasurer of the road and bridge fund.

§ 15. The commissioners shall also meet semi-annually on the same day and
2 at the same place of the meeting of the board of town auditors. At the meeting
3 immediately preceding the annual meeting of the county board the commis-
4 sioners shall determine what per cent. shall be levied on the property of the
5 town for roads and bridges, which levy shall not exceed sixty cents on each one
6 hundred dollars of valuation as assessed the current year, and as it may be
7 finally equalized.

§ 16. If, in the opinion of the commissioners, a greater levy is needed in view
2 of some contingency, they may certify the same to the town board, consisting
3 for this purpose of the supervisor, town clerk, assessor and the two justices of
4 the peace, a majority of whom shall be a quorum, and with the consent of any
5 three of this town board, given in writing, an additional levy may be made of

any sum not exceeding forty cents on the one hundred dollars of the property of the town and valuation as before named.

§ 17. When damages have been agreed upon, allowed or awarded for laying out, widening, altering or vacating roads, or for ditching to drain roads, the amounts of such damages shall be included in the first succeeding tax levy, provided for in section 15 of this act; and when collected shall constitute and be held by the treasurer of the commissioners as a separate fund to be paid out to the parties entitled to receive the same.

§ 18. The commissioners at said semi-annual meeting shall make a certificate of the rate per centum finally agreed upon, by virtue of sections 15 and 16 of this act. Also the amount to liquidate road and ditch damages, and shall cause such certificate to be delivered to the town clerk, to be kept by him on file for the inspection of the inhabitants of said town, and the town clerk shall at once certify these two items of levy to the county clerk, to be by him extended separately upon the collector's book of said town, to be collected as other taxes, and when collected shall be paid to the treasurer of the commissioners by the collector, as fast as the same is collected, except such rate per cent. as shall be allowed for collecting the same.

§ 19. Whenever damages have been allowed for roads or ditches, the commissioners may draw orders, attested by the clerk on the treasurer, payable when the money shall be collected or received, with interest not exceeding eight per cent., to be given to persons damaged, or sold for money to liquidate such damages. But no such orders shall be negotiated or sold for less than their par value.

§ 20. At the semi-annual meeting immediately preceding the annual town meeting, the commissioners shall meet, and report to the board of town auditors in writing:

1. The amount of poll-tax assessed and the part worked out, how much paid in money, and how much delinquent.

2. The amount of road and bridge money received by the town, and a full and detailed statement as to how and where expended, and the balance, if any, unexpended.

9 3. The amount raised for damages in laying out, altering, widening, or
10 vacating roads, and right of way for ditches.

11 4. The amount of liabilities incurred and not paid; and if such liabilities are
12 undetermined, they shall be estimated.

13 5. Any additional matter concerning the roads and bridges of the town
14 they may think expedient and proper to make.

§ 21. When it is necessary to construct or repair any bridge over a stream,
2 or to construct or repair any other distinct and expensive work on a public road
3 in any town, or on, or near to, or across a town line, in which work the town is
4 wholly or in part responsible, and the cost of which will be more than twenty
5 cents on the one hundred dollars on the latest assessment roll, and the levy of
6 the road and bridge tax for that year in said town was for the full amount
7 of sixty cents on each one hundred dollars, allowed by law for the commission-
8 ers to raise, the major part of which is needed for the ordinary repair
9 of roads and bridges, the commissioners may petition the county board
10 for aid; and if the foregoing facts shall appear, the county board shall
11 appropriate from the county treasury a sum sufficient to meet one-
12 half the expenses of the said bridge or other work, on condition that
13 the town asking aid shall furnish the other half of the required amount. The
14 expenditure of these joint funds shall be made by the commissioners, and two
15 persons appointed by the board of supervisors, and any surplus funds, appro-
16 priated by the county board after the completion of the work, shall be paid
17 into, or lapse into the county treasury.

§ 22. When the commissioners desire to expend on any bridge or other dis-
2 tinct and expensive work on the road, a greater sum of money than is available
3 to them by other means, the said commissioners may petition the supervisor of
4 the town to call a special town meeting to vote on the proposition, which shall
5 be clearly stated in the petition substantially as follows: "To borrow \$———
6 to construct or repair, [describe the bridge or other work]," which said petition
7 shall be signed by said commissioners in their official capacity and by at least
8 twenty-five freeholders of such town, and thereupon such petition shall be filed
9 in the office of the town clerk of such town. Upon the filing of said petition,

10 the supervisor shall order the town clerk, by an instrument in writing to be
 11 signed by him, to post up in four of the most public places in said town, notices
 12 of such special town meeting; which notice shall state the object, time and
 13 place of meeting, the maximum sum to be borrowed, and the manner in which
 14 the voting is to be had, which shall invariably be by ballot, and shall be "For
 15 borrowing money to [here define the purpose]" or, "Against borrowing money
 16 [here define the purpose]." The special town meeting shall be held at the
 17 place of the last annual town meeting, by giving at least ten days' notice, and
 18 returns thereof made in the same manner as other special town meetings are
 19 now or may hereafter be provided by law; and if it shall appear that a
 20 majority of the legal voters voting at said election shall be in favor of said
 21 proposition, the supervisor and town clerk, acting under the direction of the
 22 commissioners of said town, shall issue from time to time, as the work pro-
 23 gresses, a sufficient amount in the aggregate of the bonds of said town for
 24 the purpose of building such bridge, or other distinct and expensive work;
 25 said bonds to be of such denominations, bear such rate of interest, not exceed-
 26 ing eight per cent., upon such time, and be disposed of as the necessities and
 27 conveniences of said town officers require: *Provided*, that said bonds shall not
 28 be sold or disposed of for less than their par value, and such town shall provide
 29 for the payment of such bonds and the interest thereon by appropriate
 30 taxation.

§ 23. Bridges over streams which divide towns or counties, and bridges
 2 over streams on roads on county or town lines, shall be built and repaired at
 3 the expense of such towns or counties: *Provided*, that for the building and
 4 maintaining of bridges over streams near county or town lines, in which both
 5 are interested, the expense of building and maintaining any such bridges shall
 6 be borne by both counties or towns in such portion as shall be just and equit-
 7 able between said towns or counties, taking into consideration the taxable prop-
 8 erty in each, the location of the bridge and the advantage of each to be deter-
 9 mined by the commissioners in making contracts for the same as provided for
 10 in section 91 of this act."

§ 24. For the purpose of building or keeping in repair such bridge or bridges it shall be lawful for the commissioners of such adjoining towns, whether they be in the same or different counties, or county boards of such adjoining counties to enter into joint contracts, and such contracts may be enforced in law or equity, against such commissioners jointly, the same as if entered into by individuals, and such commissioners or county boards may be proceeded against, jointly, by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damage growing out of such neglect.

§ 25. Whenever the commissioners of either of such adjoining towns shall refuse to enter into such joint contracts to build and maintain such bridge or bridges, the commissioners of the other town may call a special town meeting to vote upon the proposition as to whether such towns shall proceed to build and maintain such bridge or bridges at its own expense. If such proposed bridge shall require a greater sum of money to complete it than is available to the commissioners by other means, they may also submit the proposition to such special town meeting to borrow money to build such bridge. The voting shall be by ballot, and if simply the question as to the building of the bridge is submitted, if the voter desires to vote for building the bridge, his ballot shall state "to build bridge," and if he desires to vote against the proposition, his ballot shall state "against the proposition to build bridge." If the proposition to borrow money to build such bridge shall be included in the notice, the maximum amount to be borrowed shall be stated in the same, and the voter desiring to vote affirmatively shall state on his ballot "to build bridge and to borrow money to construct the same;" and if he desires to vote negatively, his ballot shall state "against the proposition to build bridge and to borrow money to construct the same." Such special town meeting shall be called and held in the same manner which is provided for special town meetings in section 22, of this act. If the proposition to build such bridge shall receive a majority of all the votes cast at such election, the commissioners shall then have the power to contract for the building of such bridge and approaches thereto the same as if the bridge was entirely located in such town, and shall have the power to acquire

24 by purchase, lease or gift, any private bridge already built, suited to their pur-
 25 pose, or any land upon which to build the approaches, or may use for the pur-
 26 pose of such approaches any public highway that may lead to the bank of the
 27 stream where said bridge is to be built on either side of said stream, whether
 28 such highway may be within the limits of said town or county or not. If
 29 proposition to build such bridge and borrow money to build the same shall
 30 receive a majority of the votes cast at such special town meeting, the supervisor
 31 and town clerk, under the direction of the commissioners, shall issue from
 32 time to time, as the work progresses, a sufficient amount in the aggregate of
 33 the bonds of said town for the purpose of building such bridge and the
 34 approaches thereto, or to purchase any private bridge already built, as the case
 35 may be, said bonds to be of such denominations, bear such rate of interest, not
 36 exceeding eight per cent. upon such time, and be disposed of as the necessities
 37 and conveniences of said commissioners may require. Such bonds shall not be
 38 sold for less than their par value, and such town shall provide for the payment
 39 of such bonds and interest by appropriate taxation.

§ 26. If the commissioners of either of such towns, or county boards of
 2 such counties after reasonable notice in writing from the commissioners of
 3 any other such towns or county boards of such counties, shall neglect or refuse
 4 to build or repair any such bridge when any contract or agreement has been
 5 made in regard to the same, it shall be lawful for the commissioners or county
 6 board so giving notice to build or repair the same to recover, by suit, one-half
 7 (or such amount as shall have been agreed upon) of the expense of so build-
 8 ing or repairing such bridge, with costs of suit and interest from the time of
 9 the completion thereof, from the commissioners or county board so neglecting
 10 or refusing.

§ 27. The commissioners are hereby authorized to contract for the construc-
 2 tion and repairing of roads and bridges, but when such contracts are for a
 3 sum exceeding \$75.00, they shall give at least ten days' notice of time and place
 4 of letting such contract by posting notices in at least ten public places in and
 5 contiguous to the town, describing the work and time of completion.

§ 28. At such public letting, as provided for in the preceding section, the
 2 commissioners shall have the right to reject any and all bids if they deem it to
 3 the best interests of the town, and no contract shall be considered as let unless
 4 the contractor shall, within ten days after the letting, enter into contract and
 5 file a bond with two good and sufficient sureties with the commissioners, in the
 6 penal sum of double the value of the amount of the contract, payable to the
 7 commissioners of the town, upon failure to comply with the conditions of his or
 8 their contract.

§ 29. All contracts for the construction or repair of road or building or re-
 2 pairing of bridges shall be made payable as soon as the same is accepted by the
 3 commissioners.

§ 30. The supervisor of the town shall be *ex-officio* treasurer of the commis-
 2 sioners, and the town clerk shall be clerk of the commissioners and custodian of
 3 all the papers relating to their office. The supervisor, as treasurer, shall receive
 4 and have charge of all moneys collected and received for the maintenance of
 5 roads and bridges, and for road and ditch damages. He shall pay out said
 6 moneys on the order of the commissioners, attested by the clerk, and not other-
 7 wise, and keep a separate account thereof. He shall execute a bond with and
 8 good sufficient security of all moneys coming into his hands by virtue of this
 9 act, conditioned that he will faithfully discharge his duties as such treasurer;
 10 that he will honestly and faithfully account for and pay over, upon the proper
 11 orders, all moneys coming into his hands as treasurer, and the balance, if any,
 12 to his successor in office. Before receiving these funds he shall give this bond
 13 to the town, to be approved by the town clerk and assessors, and filed in the
 14 office of the town clerk with such approval endorsed thereon. After the
 15 election of supervisors in the year 1884, the bond as now required to be
 16 given by the supervisor by virtue of his office, shall be made to include the
 17 duties and responsibilities herein prescribed as treasurer of the commission-
 18 ers and custodian of the road and bridge funds.

§ 44. The commissioners may alter, widen or vacate any road, or lay out
 2 any new road in their respective towns, when petitioned by any number of lan l
 3 owners, not less than twelve, residing within three miles of the road so to be
 4 altered, widened, vacated or laid out.

§ 45. Said petition shall set forth in writing, a description of the road,
 2 and what part thereof is to be altered, widened or vacated, and if for a
 3 new road, the names of the owners of lands, if known, and if not known it
 4 shall be so stated, over which the road is to pass, the points at or near which it
 5 is to commence, its general course, and the place at or near where it is to
 6 terminate.

§ 47. Whenever the commissioners shall receive any such petition, they
 2 shall fix upon a time when and where they will meet to examine the route of
 3 such road, and to hear reasons for or against the altering, widening, vacating
 4 or laying out the same: and they shall give at least ten days' notice of the time
 5 and place of such meeting, by posting up notices in three of the most public
 6 places in the township, in the vicinity of the road to be widened, altered or
 7 vacated.

§ 48. The commissioners may, by public announcement, and by the posting
 2 of a notice at the time and place named for the first meeting, adjourn the
 3 meeting from time to time, but not for a longer period than ten days in all;
 4 and shall, at the first or such adjourned meeting, within said ten days, de-
 5 cide and publicly announce whether they will grant or refuse the prayer of
 6 the petition, and shall indorse upon or annex to the petition a brief memor-
 7 andum of such decision, to be signed by the commissioners. Such decision
 8 shall be subject to revocation, in case the prayer of the petition is granted, in
 9 the manner hereinafter provided. In case the commissioners refuse to grant
 10 the prayer of the petition, they shall within five days thereafter, file the same
 11 so indorsed or with such decision annexed thereto, in the office of the town
 12 clerk.

§ 49. If the petition is simply for the vacation of a road, and the commis-
 2 sioners, or a majority of them, shall, at such meeting decide that the prayer of
 3 the petitioners should be granted, they shall order such road to be vacated,—a
 4 copy of which order, together with the petition, shall be by them filed with
 5 the town clerk: such order to be so filed within five days after the date of such
 6 decision.

§ 50. If such petition is for the establishment of a new road, or the alteration
 2 or widening of an existing road, and the commissioners or a majority of them,
 3 shall be of the opinion that the prayer of the petitioners should be granted,
 4 they shall cause a survey and plat of such road to be made by a competent
 5 surveyor, who shall report such survey and plat to said commissioners, giving
 6 the courses and distances, and specifying the land over which said road is to
 7 pass—in which they may make such changes between the termini of the road
 8 described in the petition as the convenience and interest of the public, in
 9 their judgment, may require.

§ 51. Upon the petition of twelve land owners residing in the town where
 2 the road is situated, it shall be the duty of the commissioners, within a
 3 reasonable time, to employ a competent surveyor and have any road
 4 designated in such petition in their several towns re-surveyed, and plats thereof
 5 made, which plats and surveys shall be by them filed for record in the office of
 6 the town clerk: *Provided*, that this section shall not apply where the same has
 7 been already done, unless the exact location of such road is uncertain.

§ 52. The establishment of a new road on the route of a road already estab-
 2 lished according to law, shall not vacate the road previously established, unless
 3 such vacation is prayed for in the petition, and so declared in the order estab-
 4 lishing a new road.

§ 53. (Damages to be ascertained.) They shall also, before they order any
 2 road to be established, altered, widened or vacated, ascertain as hereinafter
 3 provided, the aggregate amount of damages which the owner or owners of land
 4 over which the road is to pass shall be entitled to, by reason of the location,
 5 alteration or vacation of such road: *Provided, however*, that in case an appeal
 6 is taken from the assessment of damages before the justice of the peace, the
 7 commissioners may in their discretion, make an order laying out, widening
 8 altering or vacating such road, either before or after such appeal is determined,
 9 in the manner hereinafter provided.

§ 54. The damages sustained by the owner or owners of the
 2 land, by reason of the establishment, alteration, widening or vacation
 3 of any road, may be agreed upon by the owners of such lands, if com-

4 petent to contract, and the commissioners, or they may be released
 5 by such owners—in which case the agreement or release shall be in writing, and
 6 shall be filed and recorded with the copy of the order establishing, altering
 7 widening or vacating such road, in the town clerk's office, and shall be a per-
 8 petual bar against such owners, their grantees and assigns, for all further
 9 claims for such damages.

§ 55. In case such damages are not released or agreed upon as in the pre-
 2 ceding section specified, the commissioners shall within ten days from the date
 3 of the meeting at which it was decided to grant the prayer of the petition,
 4 make a certificate that they are about to establish, widen, vacate or alter a
 5 public road, describing such road, vacation, widening or alteration, and the
 6 land over or on which such road is to be established, altered, widened or vacated,
 7 and naming the owners of such lands, if known, and if not known stating the
 8 fact, and asking for a jury to assess the damages of such owners, and shall
 9 present such certificate to some justice of the peace of the county, who on
 10 receipt of the same shall within five days issue a summons against the land
 11 owners concerned, which summons shall be in the following form as nearly as
 12 the case will admit, viz:

13 STATE OF ILLINOIS,

14 COUNTY:

15 The people of the State of Illinois, to any constable of said county, greet-
 16 ing:

17 You are hereby commanded to summon A, B, C, D, and E, F, to appear before
 18 me at on the day of at o'clock, and prove to a jury
 19 then and there to be empannelled, such damages as you may sustain on account
 20 of the establishing, altering, widening or vacating the road described in a cer-
 21 tificate of the commissioners of the town of in said county, which
 22 certificate is now on file in my office.

23 Given under my hand and seal this day of 18..

24 Justice of the Peace.

25 in which summons the justice shall specify a certain place, day and hour for
 26 the trial, not less than six nor more than fifteen days from the date of such

27 summons, at which time and place such land owners are to appear. Such sum-
 28 mons shall be served at least three days before the time of trial mentioned
 29 therein, by reading the same to the land owners therein named.

30 If any such owner is an infant, such summons shall be served by delivering a
 31 copy to the infant, or its guardian, if any, if no guardian, the person with
 32 whom he or she resides. If any owner is a lunatic or habitual drunkard, having
 33 a conservator, or insane, by delivering a copy to his conservator, if any; if any
 34 such owner is a married woman, by delivering a copy to her.

§ 57. In case it shall appear, either from the certificate of commissioners, the
 2 affidavit of any person, or the return of any officer to whom the notice may be
 3 delivered for service, that there are non-resident or unknown owner or owners,
 4 who can not be found and served within the county, such justices shall also
 5 cause notice to be posted in three of the most public places in the vicinity of
 6 such proposed road or alteration, at least six days before the time fixed in the
 7 summons for hearing proof of damages, stating the time and place, as stated in
 8 said summons, and describing the road to be established, altered, and the lands
 9 for which damage are to be assessed.

§ 58. Shall also forthwith issue a venire directed to any constable of the
 2 county, to summons six persons having the qualifications of jurors to appear at
 3 such time and place as may [be] designated for the proving of such damages,
 4 whose competency shall be determined the same as in other civil cases before
 5 justices of the peace. Either party to the case shall have the same right of
 6 challenge as in other civil cases; and any deficiency in the number of jurors,
 7 from whatever cause, shall be supplied by summoning other persons residing in
 8 such county.

§ 61. The jury shall appear before and be sworn or affirmed by such justice
 2 faithfully and impartially to assess the damage of each of the owners specified
 3 in such certificate, or those of them whose claims are then to be adjusted, ac-
 4 cording to law to the best of their judgment and understanding; and all parties
 5 in interest shall be entitled to subpoenas and other writs and papers, and the
 6 trial shall be conducted as in other civil cases.

§ 62. The case shall be entitled "commissioners of the town of----- vs." (whoever may be summoned as land owners), and the jury shall hear such lawful evidence touching the question of such damages as may be presented to them; and shall also, on request of a majority of the commissioners or owners of lands whose damages are to be determined, in a body visit and examine the proposed location, alteration, widening or vacation of such road, and the lands to be taken and affected thereby, and make a written verdict specifying the amount of damages, if any, which each such owner shall recover, and return the same to such justice, to be by him entered on his docket in the nature of a judgment: *Provided*, that in estimating the damages, the jury may consider the benefits conferred; but no benefits enjoyed in common by the owners of surrounding property shall be considered in estimating damages.

§ 64. Within ten days after the total amount of damages shall have been ascertained, either by release or agreement of the parties, or by assessment before a justice of the peace and a jury, in the manner hereinbefore provided, the commissioners shall hold a meeting to finally determine upon the laying out, altering, widening or vacation of such road, of which meeting said commissioners shall give public notice, by causing not less than three notices thereof to be posted in public places within the town, at least five days prior thereto.

§ 65. In cases where the damages are not wholly released or agreed upon, and the commissioners shall be of the opinion that the damages assessed by the jury are manifestly too high, and that the payment of the same would be an unreasonable burden upon the tax-payers of the town, the commissioners may revoke all proceedings had upon the petition by a written order to that effect; and such revocation shall have the effect to annul all such proceedings and assessments, releases and agreements, in respect to damages growing out of the proceedings upon the petition: *Provided*, upon the final determination of the commissioners of highways, or the supervisors, upon appeal being determined, and a copy of all such proceedings being filed in the town clerk's office, no other proceeding shall be had by the commissioners of highways, nor any petition entertained in regard to the same road or petition for one year from the date of filing such copies of proceedings. And

14 after two trials as aforesaid, if the decision be the same, no other petition shall
 15 be entertained for the same until the expiration of three years from the filing
 16 of the last proceedings."

§ 66. In case the commissioners shall not revoke such prior proceedings
 2 they shall make an order, to be signed by them, declaring such road so altered,
 3 widened or laid out a public highway, and which order shall contain or have
 4 annexed thereto a definite description of the line of such road, together
 5 with a plat thereof. The commissioners shall, within five days from the date
 6 of such order, cause the same, together with the report of the surveyor, the
 7 petition and releases agreements or assessments in respect to damages,
 8 to be deposited and filed in the office of the town clerk, who shall
 9 note upon such order the date of such filing. It shall be the duty
 10 of such clerk, after the time for appeal to supervisors has expired, and in
 11 the case of such appeal, after the same shall have been determined, in case the
 12 prayer of the petition is granted, to record such order, together with the plat
 13 of the surveyor, in a proper book to be kept for that purpose.

§ 67. In cases where the damages claimed by the land-owners for the right
 2 of way is released, or is agreed upon between the land-owners and commission-
 3 ers, the commissioners may, at their first meeting or at any adjourned meeting,
 4 examine the route of the road, and cause a survey thereof to be made, and
 5 make their order establishing, altering, widening or vacating the road, accord-
 6 ing to the prayer of the petition, and return the same within the time and in
 7 the manner specified in this act.

§ 68. Any person or persons interested in the establishment, alteration,
 2 widening or vacation of any road in this State, are hereby authorized to offer
 3 inducements to the commissioners of highways for the establishment, alter-
 4 ation, widening or vacation of any such road, by entering into contract
 5 with said commissioners, conditioned upon such establishment alteration,
 6 widening or vacating, to pay money or other valuable thing to the town for
 7 the benefit of the road and bridge funds of the same; or to perform any
 8 labor, or to construct any road, bridge or culvert on any road with which
 9 said person or persons desire to have established, widened or altered. And

10 such contracts, in writing, made with said commissioners, shall be deemed
 11 good and valid in law, and may be enforced by said commissioners or their
 12 successors in office, before any court having jurisdiction.

§ 69. The records of the town clerk, or a certified copy of such record and
 2 papers, relating to the establishment, location, alteration, widening or vaca-
 3 tion of any road, shall be *prima facie* evidence in all cases that all the neces-
 4 sary antecedent provisions had been complied with, and that the action of
 5 the commissioners or other persons and officers, in regard thereto, was regular
 6 in all respects.

§ 70. Roads for private and public use, of the width of three rods or less,
 2 may be laid out from one dwelling or plantation of an individual to any
 3 public road, or from one public road to another, or from a lot of land to a
 4 public road, on petition to the commissioners by any person directly inter-
 5 ested. The commissioners, on receiving such petition, shall have power to
 6 lay out the road as asked for therein, to which end they shall proceed and
 7 examine into the merits of the case, and shall be governed in their proceed-
 8 ings by the rules and regulations prescribed in this act in relation to public
 9 roads. The jury shall consider the damages that may result to parties from
 10 said proposed road, and shall assess the damages to each individual owner
 11 of lands affected thereby. The amount of such damages shall be paid by the
 12 persons benefited thereby to the extent and in proportion that they are bene-
 13 fited, to be determined and declared by the jury. The remainder of the amount
 14 of damages over and above that to be paid by the parties as aforesaid, shall be
 15 paid by the town as in other cases. The amount of damages to be paid by indi-
 16 viduals shall be paid to the parties entitled thereto before the road shall be
 17 opened for use. An appeal may be taken on the question of the propriety and
 18 necessity of such road as in other cases.

§ 71. If such road or cartway shall not be opened by the petitioners within
 2 two years from the time of making the order for the location of the same, such
 3 order shall be regarded as rescinded.

§ 72. When such road or cartway is proposed to pass over inclosed lands the
 2 owners of such lands shall have a reasonable time, not exceeding eight months,

3 to be designated by the commissioners, to harvest crops and remove fences
4 which may be on such lands before such road or cartway shall be opened.

§ 73. (Payment for work on private roads.) The commissioners may, in their
2 discretion, pay persons who live on or have an interest in such roads which are
3 used by certain persons or by the public, for work done on the same; but in no
4 case shall they be allowed more than the amount of their road tax for the year
5 in which the work is done.

§ 74. Public roads may be established, altered, widened or vacated on town-
2 ship or county lines, or from one township into another, in the same manner as
3 other public roads, except that in such case a copy of the petition shall be posted
4 up in and presented to the commissioners of each town interested, said petition
5 to be as in other cases, and signed by not less than twelve land owners residing
6 in either county within three miles of the road so to be altered, widened, located
7 or laid out; whereupon it shall be the duty of the commissioners of the several
8 towns to meet and act as one body, in the same time and manner as in other
9 cases, in considering the petition, viewing the premises, adjusting damages and
10 making all orders in reference to such proposed road alteration, widening or
11 vacation, and a majority of all such commissioners must concur in all such
12 orders; and a copy of all final orders and plats and papers shall be filed and
13 recorded in each of the counties and towns interested.

§ 75. The commissioners shall also, in case a new road is established, allot to
2 each of such towns the part of such road which each of such towns shall open
3 and keep in repair, and the part so allotted shall be considered as wholly
4 belonging to such town. They shall also divide the expenses and damages
5 which may accrue from such location, widening or alteration, and if they cannot
6 agree, they shall refer the matter to three disinterested land owners, as arbitra-
7 tors, whose decision shall be final.

§ 76. Any person or persons interested in the decision of the commissioners
2 in determining to or in refusing to lay out, alter, widen or vacate any road or re-
3 voking any previous order or decision relative to any road, or from the verdict
4 of any jury in assessing damages in opening, altering or vacating any road, may
5 appeal from such decision to three supervisors of the country, outside of the

6 town or towns in which such road or proposed road is located, within ten days
 7 after such decision has been filed in the office of the town clerk, by filing a writ-
 8 ten petition with some justice of the peace of the county, asking for an appeal,
 9 and stating on what grounds such appeal is taken.

§ 77. It shall be the duty of the justice of the peace to cause to be summoned
 2 three supervisors of the county to hear such appeal; and he shall fix in such
 3 summons upon a time and place near the road in question, when said appeal
 4 will be heard by them; and, at least three days before such trial, shall give a
 5 written notice to the said commissioners, and to at least three of the petitioners,
 6 of the time and place of said trial; and upon such appeal the said super-
 7 visors shall have the same power and authority that is by this act conferred
 8 on the commissioners, not only in regard to the laying out, altering, widen-
 9 ing or vacating any road, but shall have the same power to cause a jury
 10 to be called to assess damages, whenever the state of the proceedings require
 11 it, and the supervisors cannot agree with the owners of the land in regard to
 12 the same.

§ 78. And they shall make a report of their proceedings and decision in the
 2 case, and in like manner that is by this act required by the commissioners, and
 3 shall be entitled to two dollars and fifty cents per day. Their decision shall be
 4 final in regard to laying out, altering, widening or vacating such road, or in re-
 5 fusing to do the same, except as provided in section 65, of this act.

§ 79. Any parties taking an appeal from the award of the decision of the
 2 highway commissioners, or the verdict of the jury, shall pay the cost of such
 3 appeal, in case the decision of the commissioners or the verdict of the jury is in
 4 all things sustained; and shall file a sufficient bond with the justice of the peace
 5 or town clerk before taking such appeal, guaranteeing such payment in such
 6 case; otherwise the town shall pay the cost of such appeal.

§ 80. The decision of a majority of the supervisors in any appeal case shall
 2 be taken as the decision of said supervisors.

§ 81. When the commissioners of one town disagree with the commissioners
 2 of an adjoining town, in regard to the laying out of a new road, or the altera-
 3 tion, widening or vacation of an old road on any county or town line, appeal's

4 may be taken from such decision in the same manner as where the road is
 5 wholly in one town. When such decision is in regard to a road on a county
 6 line, two supervisors shall be selected from one county and one supervisor shall
 7 be selected from the other, by the justice of the peace, who shall issue his sum-
 8 mons accordingly.

§ 82. All roads heretofore laid out upon town or county lines, shall be
 2 divided, allotted and kept in repair in the manner as hereinbefore directed.
 3 Any public road that is or shall hereafter be laid out on a county or town line,
 4 shall be held to be a road on a county or town line, although, owing to the topo-
 5 graphy of the ground along said county or town line, or at the crossing of any
 6 stream of water, the proper authorities, in establishing or locating such road,
 7 may have located a portion of the same to one side of such county or town line.

§ 83. Roads may be laid out and opened upon the line between this and any
 2 adjoining State, as provided in the preceding sections, whenever the laws of
 3 such adjoining State shall be applicable.

§ 85. All public roads laid out by order of the commissioners or supervisors,
 2 on appeal, shall be opened within three years from the time of laying out the
 3 same. If not opened within the time aforesaid, the same shall be deemed to be
 4 vacated.

§ 86. The commissioners shall receive for their services the sum of two dol-
 2 lars per day for each day necessarily employed in the performance of their
 3 duties, and the treasurer shall receive the same commission as he receives for
 4 the care and disbursement of other town funds, the same to be audited by the
 5 town auditors, and paid out of the town funds. Upon a sworn statement to be
 6 filed by each commissioner in the town clerk's office, showing the number of
 7 days in which they were employed, and the kind of employment, and giving the
 8 dates thereof.

§ 87. If the commissioners shall wilfully refuse or neglect to perform any of
 2 the duties enjoined on them by this act, they shall severally forfeit not less
 3 than ten dollars nor more than fifty dollars, and may be proceeded against,
 4 severally or jointly, for the recovery of such forfeiture before any justice of the
 5 peace in the proper county having jurisdiction.

LAWS OF THE ROAD.

§ 31. The term "carriage" as used in this act, shall be construed to include stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle used for the transportation of passengers and goods, or either of them.

§ 32. Nothing contained in this act shall interfere with or affect any law concerning hackney coaches or carriages in any of the cities of this State, nor interfere with nor affect the laws or ordinances of any such city for the licensing or regulating such coaches or carriages. Justices of the peace shall have jurisdiction in all cases arising under this act, where the penalty does not exceed their jurisdiction.

§ 33. For destroying or defacing any guide-board, post, or mile-stone, or any notice or direction put up on any bridge or otherwise, the offender shall forfeit a sum not less than three dollars nor more than fifty dollars.

§ 34. If any person shall injure or obstruct a public road by falling a tree or trees in, upon or across the same, or by placing or leaving any other obstruction thereon, or encroaching upon the same with any fence, or by plowing or digging any ditch or other opening thereon, or by turning a current of water so as to saturate or wash the same, or shall leave the cuttings of any hedge thereon, for more than five days, he shall forfeit for every such offense a sum not less than three dollars nor more than ten dollars, and in case of placing any obstruction on the highway, an additional sum of not exceeding three dollars per day for every day he shall suffer such obstruction to remain after he has been ordered to remove the same by any of the commissioners; complaint to be made by any person feeling himself aggrieved: *Provided*, this section shall not apply to any person who shall lawfully fall any tree for use, and will immediately remove the same out of the road, nor to any person through whose land a public road may pass, who shall desire to drain his land, and shall give due notice to the commissioners of such intention: *And provided, further*, that any commissioners, after having given reasonable notice (to the owners) of the obstruction, or person so obstructing or plowing or digging ditches upon such road, may remove any such fence or other obstruction, fill up any such ditch or excavation, and recover the necessary cost of such removal from such owner or other person.

20 obstructing such road aforesaid, to be collected by said commissioners before
 21 any justice of the peace having jurisdiction.

§ 34. It is hereby declared unlawful for any land owner, renter or other
 2 person to deposit in a public road, weeds, trash, garbage or any offensive mat-
 3 ter, and any person so offending shall be liable to a penalty of not less than
 4 three dollars nor more than ten dollars; but this shall not apply where
 5 proper deposits may be made in good faith and in a proper manner to repair
 6 the roads.

§ 35. If any person shall purposely destroy or injure any sidewalk, public
 2 bridge, culvert or causeway, or remove any of the timber or plank thereof,
 3 or obstruct the same, he shall forfeit a sum not less than three nor more
 4 than one hundred dollars, and shall be liable for all damages occasioned
 5 thereby and all necessary costs for rebuilding or repairing the same.

§ 36. All suits for the recovery of any fine or penalty under this act shall
 2 be brought in the name of the town in which the offense is committed, be-
 3 fore any justice of the peace or police magistrate within the town, who shall
 4 have jurisdiction in such cases to the extent of their jurisdiction in other
 5 cases; and it shall be the duty of the commissioners to seasonably prosecute
 6 for all fines and penalties under this act; but in case of a failure of said
 7 officers to so prosecute, complaint may be made by any person: *Provided,*
 8 said person shall, before bringing suit in the name of the town, give a bond
 9 for costs, as is provided for in the case of non-residents. But whenever any
 10 person shall enter complaint to any road commissioner it shall be the duty
 11 of such commissioner to at once proceed to investigate as to the reasons of
 12 such complaint, and if such complaint is found to be just he shall at once
 13 proceed to prosecution.

§ 37. All fines recovered under the provisions of this act, unless otherwise
 2 provided, shall be paid over to the treasurer of the commissioners of the
 3 town where the offense is committed, to be expended upon the roads and
 4 bridges in the town.

§ 38. Any person owning, using or occupying lands on both sides of any public highway, shall be entitled to the privilege of making a crossing under said highway for the purpose of letting his cattle and other domestic animals cross said road: *Provided*, said person shall erect, at his own expense, a good and substantial bridge, with good railings on each side thereof, and build an embankment, of easy grade, on either side of said bridge; said bridge to be not less than sixteen feet wide, and to be approved by the commissioners of the town in which said bridge is built, and the same to be kept constantly in good repair by the owner or occupant of said land, the construction subject always to the consent and approval of the commissioners of said town: *And provided*, further, that in case such crossing is made on any water-way or natural channel for water and where a culvert or bridge is maintained as required for road purposes, said owners or occupants shall not be required to pay for or construct any more of said crossing than the additional cost of such crossing over and above the necessary cost of a suitable culvert or bridge for road purposes at such place.

§ 39. Whenever any persons, traveling with any carriages, shall meet on any turnpike road or public highway in this State, the persons so meeting shall seasonably turn their carriages to the right of the center of the road, so as to permit each carriage to pass without interfering or interrupting, under the penalty of five dollars for every neglect or offense, to be recovered by the party aggrieved: *Provided*, this section shall not be construed to apply to a case where it is impracticable from the nature of the ground for the driver of the carriage or wagon to turn to the right of the beaten track.

§ 40. No person owning any carriage, running or traveling upon any road in this State for the conveyance of passengers, shall employ, or continue in employment, any person to drive such carriage who is addicted to drunkenness or the excessive use of spirituous liquors; and if any such owner shall violate the provisions of this section, he shall forfeit at the rate of five dollars per day for all the time he shall knowingly keep such driver in his employment. Any person driving his own team, or the team of another, on

8 the public highway, when intoxicated, shall be subject to a fine of not less
9 than three dollars nor more than twenty-five dollars for each offense.

That an act entitled "An act in regard to roads and bridges in counties
2 under township organization," approved May 28, 1879, in force July 1, 1879,
3 and all other acts or parts of acts inconsistent herewith; be and the same
4 are hereby repealed: *Provided*, that the repeal of said act shall not affect
5 any suit or proceedings pending, or impair any right existing at the time
6 this act shall take effect: *And provided, also*, that the overseers of highways
7 in office, when this act takes effect, shall continue in office till the expiration
8 of their terms, and the road tax and road labor then due shall not be re-
9 leased from its obligations, and the delinquent list shall be duly returned,
10 and collected as now provided, the avails of which shall be paid to the
11 treasurer of the commissioners.



(Substitute for Senate Bill No. 168.)

1. Introduced by Committee on Roads, Highways and Bridges, March 8, 1883, and ordered to first reading.
2. First reading March 8, 1883, and ordered to second reading.
3. Second reading March 14-23, 1883, amended and ordered to third reading.

A BILL

For An Act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

General Assembly. That all roads in this State which have been laid out in pursuance of any law of this State, or of the territory of Illinois, or which have been established by dedication or used by the public as a highway for twenty years, and which have not been vacated in pursuance of law, are hereby declared to be public highways.

§ 2. The commissioners of highways shall have charge of the roads and bridges of their respective towns, and it shall be their duty to keep the same in repair and to improve them so far as practicable. Whenever the available means at their disposal will permit, they shall construct permanent roads, beginning where most needed. The work on roads shall be done timely and in accordance with the best known methods of road-making, by proper grading and thorough drainage by tile or otherwise, as may be expedient, and by the application of gravel, rock, or other material.

§ 3. In order to insure efficiency, they may employ a general superintendent outside their own body to work and to execute their orders; or they may divide the work, let contracts, appoint overseers, or employ such other agencies as they may deem expedient and most to the interest of the town.

§ 4. In letting contracts, employing labor, or in purchasing tools, machinery or materials, the commissioners shall not have directly or indirectly any personal pecuniary interest in connection therewith. "The commissioners shall not have power to let any contract, purchase tools, machinery, or materials, except as ordered by the board at an authorized meeting."

§ 5. Their duties shall include:

1. To lay out, alter, widen or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.

2. To cause such roads used as highways as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty years, but not recorded, to be ascertained, described and entered of record in the town clerk's office.

3. To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.

4. To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to their towns wherever the same may be found, and not allow the same to go to waste, and not lend the same except to persons employed by them to work the roads by contract or otherwise.

5. To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, a post and guide board, with plain inscription thereon, in letters and figures, giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cockle-burs, mustard, yellow-dock, Indian mallow and gympson weed from seeding, and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway; and the said commissioners may, at their discretion, adopt any suitable and convenient mode of supplying water in troughs conveniently situated on the public highway for public use.

§ 6. Whenever the commissioners are about to lay a tile drain along a public road they shall have power to contract with the owners or occupants of adjoining lands to lay larger tile than would be necessary to drain the road,

4 and to permit connection therewith by such contracting parties to drain their
5 lands.

§ 7. Where willow hedges, or a line of willow trees have been planted along
2 the margin of the road, so as to render tiling impracticable, the commissioners
3 may contract with the owner for their destruction; and they shall be destroyed
4 before tiling; the planting of these trees hereafter on the margin of roads
5 is hereby declared a public nuisance.

§ 8. The commissioners of the several towns are hereby authorized
2 to enter upon any land adjacent to any highway in their town for
3 the purpose of opening any ditch, drain, necessary sluice or water
4 course, whenever it shall be necessary to open a water course from any high-
5 way to the natural water courses, and to dig, open and clean ditches upon
6 said land for the purpose of carrying off the water from said highways, or to
7 drain any slough or pond on said highway: *Provided*, that unless the owner
8 of such land or his agent shall first consent to the cutting of such ditches, the
9 commissioners shall apply to any justice of the peace in the county in which
10 such road is situated, for a summons, directed to any constable of said county,
11 commanding him to summon the said owner to appear before the said justice,
12 at a time and place specified in such summons, not less than five nor more than
13 fifteen days from the date thereof, for the purpose of having the damage
14 assessed which such owner may sustain by reason of the digging or opening
15 of such ditches or drains. The said summons shall be under the hand of such
16 justice, and be served in the same manner as a summons is now served in civil
17 actions before justices of the peace. On the return of such summons, a venire
18 shall be issued for a jury, as in other cases in the trial of civil actions before
19 justices of the peace, which jury shall assess such damages and render a ver-
20 dict therefor. Whereupon judgment shall be entered by the justice of the
21 peace in accordance with the verdict. If either party shall feel aggrieved by
22 such judgment, an appeal may be taken as in other cases; provided bond is
23 filed within five days from the time of entering of the judgment. If no ap-
24 peal is perfected within five days the amount so awarded shall be paid before
25 the commissioners shall be warranted and empowered to enter upon

26 such lands and dig, open and clean such drains, ditches and water
 27 courses as aforesaid, for the purposes contemplated in this act. If the de-
 28 fendant appeals, the commissioners, by depositing with the justice of the
 29 peace the amount of said judgment and costs recovered, to be by him trans-
 30 mitted, the papers in said cause to the court to which such appeal has been
 31 taken, may enter upon such land for the purposes above named, as though
 32 no appeal had been taken, but they shall be required to pay whatever judg-
 33 ment may be finally recovered. The commissioners are authorized to use the
 34 poll-tax and road money of their town for the payment of such judgments:
 35 *Provided*, that not more than one-half of such jury shall be residents of the
 36 town which is liable to pay the damages: *Provided, further*, that in case the
 37 owner of said lands is a non-resident, service may be had by leaving a copy
 38 with the occupant or agent, or by notice in the same manner as prescribed in
 39 section 44, of this act.

§ 9. In grading roads, wherever practicable, it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and it shall be unlawful to ride or drive on such walk; and any person so
 4 offending shall be subject to a fine of five dollars for each offense. Corner
 5 stones marking sectional or other corners, shall not be disturbed, except to so
 6 grade the road that these, if in the line of travel, shall not rise above the
 7 surface, and corner stakes shall be replaced by good and substantial stones.
 8 In grading public roads if a ditch is made at the junction of roads, or at
 9 the entrance of gates or other openings of border premises, the road
 10 authorities shall construct good and sufficient culverts, or other convenient
 11 crossings.

§ 10. The commissioners shall meet with the town clerk on the second
 2 Tuesday after the annual town meeting, and organize by electing one of
 3 their number president; and they shall proceed to consult on their duties, and
 4 how best to exercise their powers as enumerated in section three, of this act.
 5 Special meetings may be called by the president of the board or any two
 6 members.

§ 11. At this meeting they shall make out a list of able-bodied men in their town between the ages of twenty-one and fifty years, and deliver the same to their treasurer on or before the first day of May in each year, and assess at such meeting against each person upon such list the sum of one dollar, as a poll-tax for highway purposes, to be paid to such treasurer by the first Monday in June, of each year: *Provided*, that paupers, idiots, lunatics and such others as are exempt by law, shall not be compelled to pay a poll-tax for highway purposes: *Provided*, also, that this list shall not include persons within the limits of cities or incorporated villages. They shall, within ten days after such list is delivered to their treasurer, cause written or printed notices to be given to each person so assessed, notifying him of the time when, and place where such tax must be paid, and if this poll-tax shall not be paid, by the first Monday of June, in such year, it shall be the duty of the commissioners, in the name of the town, to bring suit therefor against such person before some justice of the peace having jurisdiction thereof; summons shall be issued and returned in the same manner as provided by law in other cases. If judgment is rendered against defendant, the court shall find in such judgment that the same is for poll-tax unpaid, and shall endorse the same on the execution if one is issued. No property belonging to the defendant shall be exempt from levy to satisfy such execution.

§ 12. The constable to whom such execution shall be delivered, shall forthwith collect the moneys therein mentioned. He shall pay the money so collected, when collected, to the justice of the peace who issued the execution, who is hereby required to pay the same to the treasurer of the road and bridge fund.

§ 13. The commissioners shall also meet semi-annually on the same day and at the same place of meeting of board of town auditors. At the meeting immediately preceding the annual meeting of the county board, the commissioners shall determine what per cent. shall be levied on the property of the town for roads and bridges, which levy shall not exceed sixty cents on each one hundred dollars.

§ 14. If, in the opinion of the commissioners, a greater levy is needed in view of some contingency, they may certify the same to the board of town auditors and the assessor, a majority of whom shall be a quorum, and with the consent of any three of this town board, given in writing, an additional levy may be made of any sum not exceeding forty cents on the one hundred dollars of the property of the town.

§ 15. When damages have been agreed upon, allowed or awarded for laying out, widening, altering or vacating roads, or for ditching to drain roads, the amounts of such damages shall be included in the first succeeding tax levy, provided for in section 13. of this act; and when collected shall constitute and be held by the treasurer of the commissioners as a separate fund to be paid out to the parties entitled to receive the same.

§ 16. The commissioners at said semi-annual meeting shall make a certificate of the rate per centum finally agreed upon, by virtue of sections 13 and 14, of this act. Also the amount to liquidate road and ditch damages, and shall cause such certificate to be delivered to the town clerk, to be kept by him on file for the inspection of the inhabitants of said town, and the town clerk shall at once certify these two items of levy to the county clerk, to be by him extended separately upon the collector's book of said town, to be collected as other taxes, and when collected shall be paid to the treasurer of the commissioners by the collector, as fast as the same is collected, except such rate per cent. as shall be allowed for collecting the same.

§ 17. Whenever damages have been allowed for roads or ditches, the commissioners may draw orders, attested by the clerk on the treasurer, payable only out of the tax to be levied for such roads or ditches, when the money shall be collected or received to be given to persons damaged.

§ 18. At the semi-annual meeting immediately preceding the annual town meeting, the commissioners shall meet, and report to the board of town auditors in writing:

1. The amount of poll-tax assessed, how much paid, and how much delinquent.

6 2. The amount of road and bridge money received by the town, and a full
7 and detailed statement as to how and where expended, and the balance, if
8 any, unexpended.

9 3. The amount raised for damages in laying out, altering, widening or
10 vacating roads, and right of way for ditches.

11 4. The amount of liabilities incurred and not paid; and if such liabilities are
12 undetermined, they shall be estimated.

13 5. Any additional matter concerning the roads and bridges of the town
14 they may think expedient and proper to make.

§ 19. When it is necessary to construct or repair any bridge over a stream,
2 or to construct or repair any other distinct and expensive work on a public road
3 in any town, or on, or near to, or across a town line, in which work the town is
4 wholly or in part responsible, and the cost of which will be more than twenty
5 cents on the one hundred dollars on the latest assessment roll, and the levy of
6 the road and bridge tax for that year in said town was for the full amount
7 of sixty cents on each one hundred dollars, allowed by law for the commission-
8 ers to raise, the major part of which is needed for the ordinary repair
9 of roads and bridges, the commissioners may petition the county board
10 for aid; and if the foregoing facts shall appear, the county board shall
11 appropriate from the county treasury a sum sufficient to meet one-
12 half the expenses of the said bridge or other work, on condition that
13 the town asking aid shall furnish the other half of the required amount. The
14 expenditure of these joint funds shall be made by the commissioners, and two
15 persons appointed by the board of supervisors, and any surplus funds, appro-
16 priated by the county board after the completion of the work, shall be paid
17 into, or lapse into the county treasury: *Provided, however,* that before any
18 bridge shall be constructed or repaired, or any other distinct or expensive
19 work on a public road, constructed or repaired under the provisions of this
20 section, the commissioners shall make a careful estimate of the probable cost
21 of the same, and attach thereto their affidavits that the same is necessary,
22 and the bridge to be constructed, or repaired, or the distinct or expensive
23 work on a public road to be constructed or repaired, will not be made more

24 expensive than is needed for the purpose desired; and such estimate and affida-
25 vit shall be filed with the petition.

§ 20. When the commissioners desire to expend on any bridge or other dis-
2 distinct and expensive work on the road, a greater sum of money than is available
3 to them by other means, the said commissioners may petition the supervisor of
4 the town to call a special town meeting to vote on the proposition, which shall
5 be clearly stated in the petition substantially as follows: "To borrow \$- - -
6 to construct or repair, [describe the bridge or other work]," which said petition
7 shall be signed by said commissioners in their official capacity and by at least
8 twenty-five freeholders of such town, and thereupon such petition shall be filed
9 in the office of the town clerk of such town. Upon the filing of said petition,
10 the supervisor shall order the town clerk, by an instrument in writing to be
11 signed by him, to post up in four of the most public places in said town, notices
12 of such special town meeting; which notice shall state the object, time and
13 place of meeting, the maximum sum to be borrowed, and the manner in which
14 the voting is to be had, which shall invariably be by ballot, and shall be "For
15 borrowing money to [here define the purpose]" or, "Against borrowing money
16 [here define the purpose]." The special town meeting shall be held at the
17 place of the last annual town meeting, by giving at least ten days' notice, and
18 returns thereof made in the same manner as other special town meetings are
19 now or may hereafter be provided by law; and if it shall appear that a
20 majority of the legal voters voting at said election shall be in favor of said
21 proposition, the supervisor and town clerk, acting under the direction of the
22 commissioners of said town, shall issue from time to time, as the work pro-
23 gresses, a sufficient amount in the aggregate of the bonds of said town for
24 the purpose of building such bridge, or other distinct and expensive work;
25 said bonds to be of such denominations, bear such rate of interest, not exceed-
26 ing six per cent., upon such time, and be disposed of as the necessities and
27 conveniences of said town officers require: *Provided*, that said bonds shall not
28 be sold or disposed of for less than their par value, and such town shall provide
29 for the payment of such bonds and the interest thereon by appropriate
30 taxation.

§ 21. Bridges over streams which divide towns or counties, and bridges over streams on roads on county or town lines, shall be built and repaired at the expense of such towns or counties: *Provided*, that for the building and maintaining of bridges over streams near county or town lines, in which both are interested, the expense of building and maintaining any such bridges shall be borne by both counties or towns in such portion as shall be just and equitable between said towns or counties, taking into consideration the taxable property in each, the location of the bridge and the advantage of each to be determined by the commissioners in making contracts for the same as provided for in section 23, of this act.

§ 22. For the purpose of building or keeping in repair such bridge or bridges, it shall be lawful for the commissioners of such adjoining towns, whether they be in the same or different counties, or county boards of such adjoining counties to enter into joint contracts, and such contracts may be enforced in law or equity, against such commissioners jointly, the same as if entered into by individuals, and such commissioners or county boards may be proceeded against jointly, by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damage growing out of such neglect.

§ 23. Whenever the commissioners of either of such adjoining towns shall refuse to enter into such joint contracts to build and maintain such bridge or bridges, the commissioners of the other town may call a special town meeting to vote upon the proposition as to whether such town shall proceed to build and maintain such bridge or bridges at its own expense. If such proposed bridge shall require a greater sum of money to complete it than is available to the commissioners by other means, they may also submit the proposition to such special town meeting to borrow money to build such bridge. The voting shall be by ballot, and if simply the question as to the building of the bridge is submitted, if the voter desires to vote for building the bridge, his ballot shall state "to build bridge," and if he desires to vote against the proposition, his ballot shall state "against the proposition to build bridge." If the proposition to borrow money to build such bridge shall be included in the notice, the maxi-

14 mum amount to be borrowed shall be stated in the same, and the voter desiring
 15 to vote affirmatively shall state on his ballot 'to build bridge and to borrow
 16 money to construct the same;' and if he desires to vote negatively, his ballot
 17 shall state "against the proposition to build bridge and to borrow money to
 18 construct the same.' Such special town meeting shall be called and held in the
 19 same manner which is provided for special town meetings in section 20, of this
 20 act. If the proposition to build such bridge shall receive a majority of all the
 21 votes cast at such election, the commissioners shall then have the power to con-
 22 tract for the building of such bridge and approaches thereto the same as if the
 23 bridge was entirely located in such town, and shall have the power to acquire
 24 by purchase, lease or gift, any private bridge already built, suited to their pur-
 25 pose, or any land upon which to build the approaches, or may use for the pur-
 26 pose of such approaches any public highway that may lead to the bank of the
 27 stream where said bridge is to be built on either side of said stream, whether
 28 such highway may be within the limits of said town or county or not. If the
 29 proposition to build such bridge and borrow money to build the same shall
 30 receive a majority of the votes cast at such special town meeting, the supervisor
 31 and town clerk, under the direction of the commissioners, shall issue from
 32 time to time, as the work progresses, a sufficient amount in the aggregate of
 33 the bonds of said town for the purpose of building such bridge and the
 34 approaches thereto, or to purchase any private bridge already built, as the case
 35 may be; said bonds to be of such denominations, bear such rate of interest, not
 36 exceeding eight per cent. upon such time, and be disposed of as the necessities
 37 and conveniences of said commissioners may require. Such bonds shall not be
 38 sold for less than their par value, and such town shall provide for the payment
 39 of such bonds and interest by appropriate taxation.

§ 24. If the commissioners of either of such towns, or county boards of
 2 such counties after reasonable notice in writing from the commissioners of
 3 any other such towns or county boards of such counties, shall neglect or refuse
 4 to build or repair any such bridge when any contract or agreement has been
 5 made in regard to the same, it shall be lawful for the commissioners or county
 6 board so giving notice to build or repair the same to recover, by suit, one-half

7 (or such amount as shall have been agreed upon) of the expense of so build-
 8 ing or repairing such bridge, with costs of suit and interest from the time of
 9 the completion thereof, from the commissioners or county board so neglecting
 10 or refusing.

§ 25. The commissioners are hereby authorized to contract for the construc-
 2 tion and repairing of roads and bridges, but when such contracts are for a
 3 sum exceeding \$75.00, they shall give at least ten days' notice of time and place
 4 of letting such contract by posting notices in at least ten public places in and
 5 contiguous to the town, describing the work and time of completion: *Provided,*
 6 in case where bridges have been suddenly destroyed on any important high-
 7 way, then such commissioners may privately contract for replacing such
 8 bridge to an amount not exceeding \$150.

§ 26. Contracts for constructing and repairing roads and bridges on town
 2 lines, or across streams on town lines, shall be let by the commissioners of
 3 the two towns, who shall meet and act as one body when taking action upon
 4 the letting of such contracts for the construction or repair of such roads
 5 and bridges, or acceptance of the work when such contracts are for the
 6 expenditure of a sum exceeding \$100, they shall advertise for bids in the
 7 same manner as provided in the preceding section, except that the notices
 8 shall be posted in and contiguous to the two towns.

§ 27. At such public letting, as provided for in the two preceding sections,
 2 the commissioners shall have the right to reject any and all bids if they deem it
 3 to the best interests of the town, and no contract shall be considered as let unless
 4 the contractor shall, within ten days after the letting, enter into contract and
 5 file a bond with two good and sufficient sureties with the commissioners, in the
 6 penal sum of double the value of the amount of the contract, payable to the
 7 commissioners of the town, upon failure to comply with the conditions of his or
 8 their contract.

§ 28. All contracts for the construction or repair of roads, or building or re-
 2 pairing of bridges, shall be made payable as soon as the work on said contract
 3 is completed and accepted by the commissioners.

§ 29. The commissioners of highways may, when they shall deem it advisa-
 2 ble, put up and maintain in conspicuous places, at each end of any bridge, a

notice with the following words in large characters, "Five dollars, fine for riding or driving on this bridge faster than a walk." If any person shall ride or drive faster than a walk over any bridge upon which such notice has been placed, he shall forfeit to the town in which such bridge is located five dollars for every such offense.

§ 30. The supervisor of the town shall be *ex-officio* treasurer of the commissioners, and the town clerk shall be clerk of the commissioners and custodian of all the papers relating to their office. The supervisor, as treasurer, shall receive and have charge of all moneys collected and received for the maintenance of roads and bridges, and for road and ditch damages. He shall pay out said moneys on the order of the commissioners, attested by the clerk, and not otherwise, and keep a separate account thereof. He shall execute a bond in double the amount of money likely to come into his hands, with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such treasurer; that he will honestly and faithfully account for and pay over, upon the proper orders, all moneys coming into his hands as treasurer, and the balance, if any, to his successor in office. Before receiving these funds he shall give this bond to the town, to be approved by the town clerk and assessor, and filed in the office of the town clerk with such approval endorsed thereon. After the election of supervisors in the year 1884, the bond as now required to be given by the supervisor by virtue of his office, shall be made to include the duties and responsibilities herein prescribed as treasurer of the commissioners and custodian of the road and bridge funds.

LAYING OUT ROADS.

§ 31. All public roads established under the provisions of this act shall be of the width of sixty feet: *Provided*, that roads not exceeding two miles in length may be of a width not less than forty feet, nor more than sixty feet; and roads called public and private, may be of the width as in this act provided. All public roads laid out as herein provided, shall be opened within two years from the time of laying out the same. If not opened within the time aforesaid, the same shall be deemed to be vacated.

§ 32. The commissioners may alter, widen or vacate any road, or lay out
 2 any new road in their respective towns, when petitioned by any number of land
 3 owners, not less than twelve, residing in such town and within three miles of
 4 the road so to be altered, widened, vacated or laid out.

§ 33. Said petition shall set forth in writing, a description of the road,
 2 and what part thereof is to be altered, widened or vacated, and if for a
 3 new road, the names of the owners of lands, if known, and if not known it
 4 shall be so stated, over which the road is to pass, the points at or near which it
 5 is to commence, its general course, and the place at or near where it is to
 6 terminate.

§ 34. Whenever the commissioners shall receive any such petition, they shall
 2 fix upon a time when and place where they will meet to examine the route of
 3 such road, and to hear reasons for or against the altering, widening, vacating
 4 or laying out the same; and they shall give at least ten days' notice of the time
 5 and place of such meeting, by posting up notices in three of the most public
 6 places in the township, in the vicinity of the road to be widened, altered,
 7 vacated or laid out.

§ 35. The commissioners may, by public announcement, and by the posting
 2 of a notice at the time and place named for the first meeting, adjourn the
 3 meeting from time to time, but not for a longer period than ten days in all;
 4 and shall, at the first or such adjourned meeting, within said ten days, de-
 5 cide and publicly announce whether they will grant or refuse the prayer of
 6 the petition, and shall indorse upon or annex to the petition a brief memor-
 7 andum of such decision, to be signed by the commissioners. Such decision
 8 shall be subject to revocation, in case the prayer of the petition is granted, in
 9 the manner hereinafter provided. In case the commissioners refuse to grant
 10 the prayer of the petition, they shall within five days thereafter, file the same,
 11 so indorsed or with such decision annexed thereto, in the office of the town
 12 clerk.

§ 36. If the petition is simply for the vacation of a road, and the commis-
 2 sioners, or a majority of them, shall, at such meeting decide that the prayer of

4 copy of which order, together with the petition, shall be by them filed with
5 the town clerk; such order to be so filed within five days after the date of such
6 decision.

§ 37. If such petition is for the establishment of a new road, or the alteration
2 or widening of an existing road, and the commissioners or a majority of them,
3 shall be of the opinion that the prayer of the petitioners should be granted,
4 they shall cause a survey and plat of such road to be made by a competent
5 surveyor, who shall report such survey and plat to said commissioners, giving
6 the courses and distances, and specifying the land over which said road is to
7 pass—in which they may make such changes between the termini of the road
8 described in the petition as the convenience and interest of the public, in
9 their judgment, may require.

§ 38. Upon the petition of twelve land owners residing in the town where
2 the road is situated, it shall be the duty of the commissioners, within a
3 reasonable time, to employ a competent surveyor and have any road
4 designated in such petition in their several towns re-surveyed, and plats thereof
5 made, which plats and surveys shall be by them filed for record in the office of
6 the town clerk: *Provided*, that this section shall not apply where the same has
7 been already done, unless the exact location of such road is uncertain.

§ 39. The establishment of a new road on the route of a road already estab-
2 lished according to law, shall not vacate the road previously established, unless
3 such vacation is prayed for in the petition, and so declared in the order estab-
4 lishing a new road.

§ 40. They shall also, before they order any road to be established,
2 altered, widened or vacated, ascertain as hereinafter provided, the aggre-
3 gate amount of damages which the owner or owners of land over which
4 the road is to pass shall be entitled to, by reason of the location, altera-
5 tion or vacation of such road: *Provided, however*, that in case an appeal
6 is taken from the assessment of damages before the justice of the peace, the
7 commissioners may in their discretion, make an order laying out, widening
8 altering or vacating such road, either before or after such appeal is determined,
9 in the manner hereinafter provided.

§ 41. The damages sustained by the owner or owners of the land, by reason of the establishment, alteration, widening or vacation of any road, may be agreed upon by the owners of such lands, if competent to contract, and the commissioners, or they may be released by such owners—in which case the agreement or release shall be in writing, and shall be filed and recorded with the copy of the order establishing, altering, widening or vacating such road, in the town clerk's office, and shall be a perpetual bar against such owners, their grantees and assigns, for all further claims for such damages.

§ 42. In case such damages are not released or agreed upon as in the preceding section specified, the commissioners shall within ten days from the date of the meeting at which it was decided to grant the prayer of the petition make a certificate that they are about to establish, widen, vacate or alter a public road, describing such road, vacation, widening or alteration, and the land over or on which such road is to be established, altered, widened or vacated, and naming the owners of such lands, if known, and if not known stating the fact, and asking for a jury to assess the damages of such owners, and shall present such certificate to some justice of the peace of the county, who on receipt of the same shall within five days issue a summons against the land owners concerned, which summons shall be in the following form as nearly as the case will admit, viz:

STATE OF ILLINOIS.

..... COUNTY: }

The People of the State of Illinois, to any constable of said county, greeting:

You are hereby commanded to summon and to appear before me at on the day of ... at ... o'clock, and prove to a jury then and there to be empannelled, such damages as he or they may sustain on account of the establishing, altering, widening or vacating the road described in a certificate of the commissioners of the town of in said county, which certificate is now on file in my office.

Given under my hand and seal this day of 18..

..... Justice of the Peace

25 in which summons the justice shall specify a certain place, day and hour for
 26 the trial, not less than six nor more than fifteen days from the date of such
 27 summons, at which time and place such land owners are to appear. Such sum-
 28 mons shall be served at least three days before the time of trial mentioned
 29 therein, by reading the same to the land owners therein named.

§ 43. If any such owner is an infant, such summons shall be served by deliver-
 2 ing a copy to the infant, and its guardian, if any, if no guardian, the person with
 3 whom he or she resides. If any owner is a lunatic or habitual drunkard, having
 4 a conservator, by delivering a copy to his conservator.

§ 44. In case it shall appear, either from the certificate of commissioners, the
 2 affidavit of any person, or the return of any officer to whom the notice may be
 3 delivered for service, that there are non-resident or unknown owner or owners,
 4 who cannot be found and served within the county, such justice shall also
 5 cause notice to be delivered to the occupant of such lands, and the contents and
 6 nature thereof to be made known to such occupant, and also to be posted in
 7 three of the most public places in the vicinity of such proposed road or altera-
 8 tion, at least ten days before the time fixed in the summons for hearing proof
 9 of damages, stating the time and place, as stated in said summons, and describ-
 10 ing the road to be established or altered, and the lands for which damages are
 11 to be assessed; and in case service is made upon any owner by posting notices as
 12 above, provided the justice shall continue said hearing for a period not exceed-
 13 ing twelve days.

§ 45. Such justice shall also forthwith issue a venire directed to any con-
 2 stable of the county, to summons six persons having the qualifications of jurors
 3 to appear at such time and place as may be designated for the proving of
 4 such damages, whose competency shall be determined the same as in other
 5 civil cases before justices of the peace. Either party to the case shall have
 6 the same right of challenge as in other civil cases; and any deficiency in the
 7 number of jurors, from whatever cause, shall be supplied by summoning other
 8 persons residing in said county: *Provided*, that not more than one-half of such
 9 jury shall be residents of the town liable to pay the damages assessed in the

11 before the commencement of the trial, in the same manner as in other civil
12 causes before justices of the peace.

§ 46. The jury shall appear before and be sworn by such justice faithfully and impartially to assess the damage of each of the owners specified in such certificate, or those of them whose claims are then to be adjusted, according to law, to the best of their judgment and understanding; and all parties in interest shall be entitled to subpoenas and other writs and papers, and the trial shall be conducted as in other civil cases.

§ 47. The case shall be entitled "commissioners of the town of—vs. ——" (whoever may be summoned as land owners), and the jury shall hear such lawful evidence touching the question of such damages as may be presented to them; and shall also, on request of a majority of the commissioners or owners of lands whose damages are to be determined, in a body visit and examine the proposed location, alteration, widening or vacation of such road, and the lands to be taken and affected thereby, and make a written verdict specifying the amount of damages, if any, which every such owner shall recover, and return the same to such justice, to be by him entered on his docket in the nature of a judgment: *Provided*, that in estimating the damages, except damages to land actually taken for a road, the jury may consider the benefits conferred; but no benefits enjoyed in common by the owners of surrounding property shall be considered in estimating damages.

§ 48. Within ten days after the total amount of damages shall have been ascertained, either by release or agreement of the parties, or by assessment before a justice of the peace and a jury, in the manner hereinbefore provided, the commissioners shall hold a meeting to finally determine upon the laying out altering, widening or vacation of such road, of which meeting said commissioners shall give public notice, by causing not less than three notices thereof to be posted in public places within the town, at least five days prior thereto.

§ 49. In cases where the damages are not wholly released or agreed upon, and the commissioners shall be of the opinion that the damages assessed by the jury are manifestly too high, and that the payment of the same would be an unreasonable burden upon the tax-payers

5 of the town, the commissioners may revoke all proceedings had upon the peti-
 6 tion by a written order to that effect; and such revocation shall have the effect
 7 to annul all such proceedings and assessments, releases and agreements, in re-
 8 spect to damages growing out of the proceedings, upon the petition: *Provided*
 9 upon the final determination of the commissioners of highways, or the super-
 10 visors, upon appeal being determined, and a copy of all such proceedings being
 11 filed in the town clerk's office, no other proceeding shall be had by the commis-
 12 sioners of highways, nor any petition entertained in regard to the same road or
 13 petition for one year from the date of filing such copies of proceedings. And
 14 after two trials as aforesaid, if the decision be the same, no other petition shall
 15 be entertained for the same until the expiration of three years from the filing
 16 of the last proceedings."

§ 50. In case the commissioners shall not revoke such prior proceedings
 2 they shall make an order, to be signed by them, declaring such road so altered,
 3 widened or laid out a public highway, and which order shall contain or have
 4 annexed thereto a definite description of the line of such road, together
 5 with a plat thereof. The commissioners shall, within five days from the date
 6 of such order, cause the same, together with the report of the surveyor, the
 7 petition and the releases agreements or assessments in respect to damages,
 8 to be deposited and filed in the office of the town clerk, who shall
 9 note upon such order the date of such filing. It shall be the duty
 10 of such clerk, after the time for appeal to supervisors has expired, and in
 11 the case of such appeal, after the same shall have been determined, in case the
 12 prayer of the petition is granted, to record such order, together with the plat
 13 of the surveyor, in a proper book to be kept for that purpose.

§ 51. In cases where the damages claimed by the land-owners for the right
 2 of way are released, or are agreed upon between the land-owners and commission-
 3 ers, the commissioners may, at their first meeting or at any adjourned meeting,
 4 examine the route of the road, and cause a survey thereof to be made, and
 5 make their order establishing, altering, widening or vacating the road, accord-
 6 ing to the prayer of the petition, and return the same within the time and in
 7 the manner specified in this act.

§ 52. Any person or persons interested in the establishment, alteration, widening or vacation of any road in this State, are hereby authorized to offer inducements to the commissioners for the establishment, alteration, widening or vacation of any such road, by entering into contract with said commissioners, conditioned upon such establishment alteration, widening or vacating, to pay money or other valuable thing to the town for the benefit of the road and bridge funds of the same; or to perform any labor, or to construct any road, bridge or culvert on any road which said person or persons desire to have established, widened or altered. And such contracts, in writing, made with said commissioners, shall be deemed good and valid in law, and may be enforced by said commissioners or their successors in office, before any court having jurisdiction.

§ 53. The records of the town clerk, or a certified copy of such record and papers, relating to the establishment, location, alteration, widening or vacation of any road, shall be *prima facie* evidence in all cases that all the necessary antecedent provisions had been complied with, and that the action of the commissioners or other persons and officers, in regard thereto, was regular in all respects.

§ 54. Whenever a public road is ordered to be established or altered, according to the provisions of this act, which road shall pass through or on enclosed land, the commissioners of highways shall give the owner or occupant of such land sixty days' notice, in writing, to remove the fences. If such owner or occupant does not remove the fence or fences within sixty days after such notice, the commissioners shall have the same removed, and direct the road to be opened and worked. The owner of such premises shall pay all necessary costs of removal, and the same may be recovered by the commissioners, before any justice of the peace of the county.

§ 55. Roads for private and public use, of the width of three rods or less, may be laid out from one dwelling or plantation of an individual to any public road, or from one public road to another, or from a lot of land to a public road, on petition to the commissioners by any person directly interested. The commissioners, on receiving such petition, shall have power to

6 lay out the road as asked for therein, to which end they shall proceed and
 7 examine into the merits of the case, and shall be governed in their proceed-
 8 ings by the rules and regulations prescribed in this act in relation to public
 9 roads. The jury shall consider the damages that may result to parties from
 10 said proposed road, and shall assess the damages to each individual owner
 11 of lands affected thereby. The amount of such damages shall be paid by the
 12 persons benefited thereby to the extent and in proportion that they are bene-
 13 fited, to be determined and declared by the jury. The remainder of the amount
 14 of damages over and above that to be paid by the parties as aforesaid, shall be
 15 paid by the town as in other cases. The amount of damages to be paid by indi-
 16 viduals shall be paid to the parties entitled thereto before the road shall be
 17 opened for use. An appeal may be taken on the question of the propriety and
 18 necessity of such road as in other cases.

§ 56. If such road or cartway shall not be opened by the petitioners within
 2 two years from the time of making the order for the location of the same, such
 3 order shall be regarded as rescinded.

§ 57. When such road or cartway is proposed to pass over inclosed lands the
 2 owners of such lands shall have a reasonable time, not exceeding eight months,
 3 to be designated by the commissioners, to harvest crops and remove fences
 4 which may be on such lands before such road or cartway shall be opened.

§ 58. Public roads may be established, altered, widened or vacated on town-
 2 ship or county lines, or from one township into another, in the same manner as
 3 other public roads, except that in such case a copy of the petition shall be posted
 4 up in and presented to the commissioners of each town interested, said petition
 5 to be as in other cases, and signed by not less than twelve land owners residing
 6 in either county within three miles of the road so to be altered, widened, located
 7 or laid out; whereupon it shall be the duty of the commissioners of the several
 8 towns to meet and act as one body, in the same time and manner as in other
 9 cases, in considering the petition, viewing the premises, adjusting damages and
 10 making all orders in reference to such proposed road alteration, widening or
 11 vacation, and a majority of all such commissioners must concur in all such
 12 orders; and a copy of all final orders and plats and papers shall be filed and
 13 recorded in each of the counties and towns interested.

§ 59. The commissioners shall also, in case a new road is established, allot to each of such towns the part of such road which each of such towns shall open and keep in repair, and the part so allotted shall be considered as wholly belonging to such town. They shall also divide the expenses and damages which may accrue from such location, widening or alteration, and if they cannot agree, they shall refer the matter to three disinterested land owners, as arbitrators, whose decision shall be final.

§ 60. Any person or persons interested in the decision of the commissioners in determining to or in refusing to lay out, alter, widen or vacate any road or revoking any previous order or decision relative to any road, or in the verdict of any jury in assessing damages in opening, altering or vacating any road, may appeal from such decision to three supervisors of the country, outside of the town or towns in which such road or proposed road is located, within ten days after such decision has been filed in the office of the town clerk, by filing a written petition with some justice of the peace of the county, asking for an appeal, and stating on what grounds such appeal is taken.

§ 61. It shall be the duty of the justice of the peace to cause to be summoned three supervisors of the county to hear such appeal; and he shall fix in such summons upon a time and place near the road in question, when said appeal will be heard by them; and, at least three days before such trial, shall give a written notice to the said commissioners, and to at least three of the petitioners, of the time and place of said trial; and upon such appeal the said supervisors shall have the same power and authority that is by this act conferred on the commissioners, not only in regard to the laying out, altering, widening or vacating any road, but shall have the same power to cause a jury to be called to assess damages, whenever the state of the proceedings require it, and the supervisors cannot agree with the owners of the land in regard to the same.

§ 62. The decision of a majority of the supervisors in any appeal case shall be taken as the decision of said supervisors; and they shall make a report of their proceedings and decision in the case, and in like manner that is by this act required of the commissioners, and shall be entitled to two dollars and

5 fifty cents per day. Their decision shall be final in regard to laying out, alter-
6 ing, widening or vacating such road, or in refusing to do the same.

§ 63. Any parties taking an appeal from the award of the decision of the
2 commissioners, or the verdict of the jury, shall file a sufficient bond with the
3 justice of the peace or town clerk before taking such appeal conditioned for
4 the payment of the cost of such appeal, in case the decision of the commis-
5 sioners or the verdict of the jury is in all things sustained or the appeal dis-
6 missed; if the award of the highway commissioners, or verdict of the jury shall
7 not be sustained, the town shall pay the cost of such appeal.

§ 64. When the commissioners of one town disagree with the commissioners
2 of an adjoining town, in regard to the laying out of a new road, or the altera-
3 tion, widening or vacation of an old road on any county or town line, appeals
4 may be taken from such decision in the same manner as where the road is
5 wholly in one town. When such decision is in regard to a road on a county
6 line, two supervisors shall be selected from one county and one supervisor shall
7 be selected from the other, by the justice of the peace, who shall issue his sum-
8 mons accordingly.

§ 65. All roads heretofore laid out upon town or county lines, shall be
2 divided, allotted and kept in repair in the manner as hereinbefore directed.
3 Any public road that is or shall hereafter be laid out on a county or town line,
4 shall be held to be a road on a county or town line, although, owing to the topo-
5 graphy of the ground along said county or town line, or at the crossing of any
6 stream of water, the proper authorities, in establishing or locating such road,
7 may have located a portion of the same to one side of such county or town line.

§ 66. Roads may be laid out and opened upon the line between this and any
2 adjoining State, as provided in the preceding sections, whenever the laws of
3 such adjoining State shall be applicable.

§ 67. All public roads laid out by order of the commissioners or supervisors,
2 on appeal, shall be opened within three years from the time of laying out the
3 same. If not opened within the time aforesaid, the same shall be deemed to be
4 vacated.

§ 68. The commissioners shall each receive for their services the sum of two dollars per day for each day necessarily employed in the performance of their duties. Upon a sworn statement to be filed by each commissioner in the town clerk's office, showing the number of days he was employed, and the kind of employment, and giving the dates thereof, and the treasurer shall receive two per cent. commission for the disbursement of the road and bridge funds, to be audited and paid from the town funds.

§ 69. If the commissioners shall willfully refuse or neglect to perform any of the duties enjoined on them by this act, they shall severally forfeit not less than ten dollars nor more than fifty dollars, and may be proceeded against, in the name of the town, severally or jointly, for the recovery of such forfeiture before any justice of the peace in the proper county having jurisdiction.

LAWS OF THE ROAD.

§ 70. The term "carriage" as used in this act, shall be construed to include stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle used for the transportation of passengers and goods, or either of them.

§ 71. Nothing contained in this act shall interfere with or affect any law concerning hackney coaches or carriages in any of the cities of this State, nor interfere with nor affect the laws or ordinances of any such city for the licensing or regulating such coaches or carriages. Justices of the peace shall have jurisdiction in all cases arising under this act, where the penalty does not exceed their jurisdiction.

§ 72. For destroying or defacing any guide-board, post, or mile-stone, or any notice or direction put up on any bridge or otherwise, by or with the authority of the commissioners, the offender shall forfeit a sum not less than three dollars nor more than fifty dollars.

§ 73. If any person shall injure or obstruct a public road by falling a tree or trees in, upon or across the same, or by placing or leaving any other obstruction thereon, or encroaching upon the same with any fence, or by plowing or digging any ditch or other opening thereon, or by turning a current of water so as to saturate or wash the same, or shall leave the cuttings of any hedge thereon, for more than ten days, they shall forfeit for every such offense a sum not less than

7 three dollars nor more than ten dollars; and in case of placing any obstruction
 8 on the highway, an additional sum of not exceeding three dollars per day for
 9 every day he shall suffer such obstruction to remain after he has been ordered
 10 to remove the same by any of the commissioners; complaint to be made by any
 11 person feeling himself aggrieved: *Provided*, this section shall not apply to any
 12 person who shall lawfully fell any tree for use, and will immediately remove
 13 the same out of the road, nor to any person through whose land a public road
 14 may pass, who shall desire to drain his land, and shall give due notice to the
 15 commissioners of such intention: *And provided, further*, that the commissioners,
 16 after having given reasonable notice to the owners or person so obstructing or
 17 plowing or digging ditches upon such road, of the obstruction, may remove
 18 any such fence or other obstruction, fill up any such ditch or excavation, ex-
 19 cept ditches necessary to the drainage of an adjoining farm, emptying into a
 20 ditch upon the highway, and recover the necessary cost of such removal from
 21 such owner or other person obstructing such road aforesaid, to be collected
 22 by said commissioners before any justice of the peace having jurisdiction.

§ 74. It is hereby declared unlawful for any land owner, renter or other
 2 person to deposit in a public road, weeds, trash, garbage or any offensive mat-
 3 ter, and any person so offending shall be liable to a penalty of not less than
 4 three dollars nor more than ten dollars; but this shall not apply where
 5 proper deposits may be made in good faith and in a proper manner to repair
 6 the roads.

§ 75. If any person shall purposely destroy or injure any sidewalk, public
 2 bridge, culvert or causeway, or remove any of the timber or plank thereof,
 3 or obstruct the same, he shall forfeit a sum not less than three nor more
 4 than one hundred dollars, and shall be liable for all damages occasioned
 5 thereby and all necessary costs for rebuilding or repairing the same.

§ 76. All suits for the recovery of any fine or penalty under this act shall
 2 be brought in the name of the town in which the offense is committed, be-
 3 fore any justice of the peace or police magistrate within the town, who shall
 4 have jurisdiction in such cases to the extent of their jurisdiction in other
 5 cases; and it shall be the duty of the commissioners to seasonably prosecute

6 for all fines and penalties under this act; but in case of a failure of said
 7 officers to so prosecute, complaint may be made by any person: *Provided*,
 8 said person shall, before bringing suit in the name of the town, give a bond
 9 for costs, as is provided for in the case of non-residents. But whenever any
 10 person shall enter complaint to any commissioner it shall be the duty
 11 of such commissioner to at once proceed to investigate as to the reasons of
 12 such complaint, and if such complaint is found to be just he shall at once
 13 proceed to prosecution: *Provided, further*, that the commissioners may sue
 14 and be sued on all contracts entered into by them for the construction and re-
 15 pairing of roads and bridges, and the judgment in any such case against the
 16 commissioners shall be a town charge

§ 77. All fines recovered under the provisions of this act, unless otherwise
 2 provided, shall be paid over to the treasurer of the commissioners of the
 3 town where the offense is committed, to be expended upon the roads and
 4 bridges in the town.

§ 78. Any person owning, using or occupying lands on both sides of any pub-
 2 lic highway, shall be entitled to the privilege of making a crossing under said
 3 highway for the purpose of letting his cattle and other domestic animals cross
 4 said road: *Provided*, said person shall erect, at his own expense, a good and
 5 substantial bridge, with good railings on each side thereof, and build an em-
 6 bankment, of easy grade, on either side of said bridge; said bridge to be not
 7 less than sixteen feet wide, and to be approved by the commissioners of the
 8 town in which said bridge is built, and the same to be kept constantly in good
 9 repair by the owner or occupant of said land, the construction subject always
 10 to the consent and approval of the commissioners of said town: *And provided*,
 11 *further*, that in case such crossing is made on any water-way or natural channel
 12 for water and where a culvert or bridge is maintained as required for road pur-
 13 poses, said owners or occupants shall not be required to pay for or construct
 14 any more of said crossing than the additional cost of such crossing over and
 15 above the necessary cost of a suitable culvert or bridge for road purposes at
 16 such place.

§ 79. Whenever any persons, traveling with any carriages, shall meet on
 2 any turnpike road or public highway in this State, the persons so meeting
 3 shall seasonably turn their carriages to the right of the beaten track,
 4 so as to permit each carriage to pass without interfering or interrupting,
 5 under the penalty of five dollars for every neglect or offense, to be recovered by the party aggrieved: *Provided*, this section shall not be construed
 7 to apply to a case where it is impracticable from the nature of the ground
 8 for the driver of the carriage or wagon to turn to the right of the beaten
 9 track.

§ 80. No person owning any carriage, running or traveling upon any road
 2 in this State for the conveyance of passengers, shall knowingly employ, or
 3 continue in employment, any person to drive such carriage who is addicted
 4 to drunkenness or the excessive use of spirituous liquors; and if any such
 5 owner shall violate the provisions of this section, he shall forfeit at the rate
 6 of five dollars per day for all the time he shall keep such driver in his
 7 employment. Any person driving his own team, or the team of another, on
 8 the public highway, when intoxicated, shall be subject to a fine of not less
 9 than three dollars nor more than twenty-five dollars for each offense.

§ 81. That an act entitled "An act in regard to roads and bridges in counties
 2 under township organization," approved May 28, 1879, in force July 1, 1879,
 3 and all other acts or parts of acts inconsistent herewith; be and the same
 4 are hereby repealed: *Provided*, that the repeal of said act shall not affect
 5 any suit or proceedings pending, or impair any right existing at the time
 6 this act shall take effect: *And provided, also*, that the overseers of highways
 7 in office, when this act takes effect, shall continue in office till the expiration
 8 of their terms, and the road tax and road labor then due shall not be released from its obligations, and the delinquent list shall be duly returned,
 10 and collected as now provided, the avails of which shall be paid to the
 11 treasurer of the commissioners.

1. Reported to House April 6, 1883.
2. First reading April 7, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with committee amendments, passage recommended, report concurred in, and ordered to second reading May 2, 1883.

A BILL

For An Act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That all roads in this State which have been laid out in
3 pursuance of any law of this State, or of the territory of Illinois, or which
4 have been established by dedication or used by the public as a highway
5 for twenty years, and which have not been vacated in pursuance of law,
6 are hereby declared to be public highways.

§ 2. The commissioners of highways shall have charge of the roads and
2 bridges of their respective towns, and it shall be their duty to keep the same in
3 repair and to improve them so far as practicable. Whenever the available
4 means at their disposal will permit, they shall construct permanent roads, begin-
5 ning where most needed. The work on roads shall be done timely and in ac-
6 cordance with the best known methods of road-making, by proper grading
7 and thorough drainage by tile or otherwise, as may be expedient, and by the
8 application of gravel, rock, or other material.

§ 3. In order to insure efficiency, they may employ a general superintendent
2 outside their own body to work and to execute their orders; or they may divide
3 the work, let contracts, appoint overseers, or employ such other agencies as
4 they may deem expedient and most to the interest of the town.

§ 4. In letting contracts, employing labor, or in purchasing tools, machinery or materials, the commissioners shall not have directly or indirectly any personal pecuniary interest in connection therewith. "The commissioners shall not have power to let any contract, purchase tools, machinery or materials, except as ordered by the board at an authorized meeting."

§ 5. Their duties shall include:

1. To lay out, alter, widen or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.
2. To cause such roads used as highways as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty years, but not recorded, to be ascertained, described and entered of record in the town clerk's office.
3. To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.
4. To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to their towns wherever the same may be found, and not allow the same to go to waste, and not lend the same except to persons employed by them to work the roads by contract or otherwise.
5. To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, a post and guide board, with plain inscription thereon, in letters and figures, giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cockle-burs, mustard, yellow-dock, Indian mallow and gympson weed from seeding, and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway; and the said commissioners may, at their discretion, adopt any suitable and convenient mode of supplying water in troughs conveniently situated on the public highway for public use.

§ 6. Whenever the commissioners are about to lay a tile drain along a public road they shall have power to contract with the owners or occupants of adjoining lands to lay larger tile than would be necessary to drain the road,

4 and to permit connection therewith by such contracting parties to drain
5 their lands.

§ 7. Where willow hedges, or a line of willow trees have been planted along
2 the margin of the road, so as to render tiling impracticable, the commissioners
3 may contract with the owner for their destruction; and they shall be destroyed
4 before tiling; the planting of these trees hereafter on the margin of roads
5 is hereby declared a public nuisance.

§ 8. The commissioners of the several towns are hereby authorized
2 to enter upon any land adjacent to any highway in their town for
3 the purpose of opening any ditch, drain, necessary sluice or water-
4 course, whenever it shall be necessary to open a water-course from any high-
5 way to the natural water-courses, and to dig, open and clean ditches upon
6 said land for the purpose of carrying off the water from said highways, or to
7 drain any slough or pond on said highway: *Provided*, that unless the owner
8 of such land or his agent shall first consent to the cutting of such ditches, the
9 commissioners shall apply to any justice of the peace in the county in which
10 such road is situated, for a summons, directed to any constable of said county,
11 commanding him to summon the said owner to appear before the said justice,
12 at a time and place specified in such summons, not less than five nor more than
13 fifteen days from the date thereof, for the purpose of having the damage
14 assessed which such owner may sustain by reason of the digging or opening
15 of such ditches or drains. The said summons shall be under the hand of such
16 justice, and be served in the same manner as a summons is now served in civil
17 actions before justices of the peace. On the return of such summons, a venire
18 shall be issued for a jury, as in other cases in the trial of civil actions before
19 justices of the peace, which jury shall assess such damages and render a ver-
20 dict therefor. Whereupon judgment shall be entered by the justice of the
21 peace in accordance with the verdict. If either party shall feel aggrieved by
22 such judgment, an appeal may be taken as in other cases; provided bond is
23 filed within five days from the time of entering of the judgment. If no ap-
24 peal is perfected within five days the amount so awarded shall be paid before
25 the commissioners shall be warranted and empowered to enter upon

26 such lands and dig, open and clean such drains, ditches and water
 27 courses as aforesaid, for the purposes contemplated in this act. If the de-
 28 fendant appeals, the commissioners, by depositing with the justice of the
 29 peace the amount of said judgment and costs recovered, to be by him trans-
 30 mitted, the papers in said cause to the court to which such appeal has
 31 been taken, may enter upon such land for the purpose above named, as though
 32 no appeal had been taken, but they shall be required to pay whatever judgment
 33 may be finally recovered. The commissioners are authorized to use the
 34 poll-tax and road money of their town for the payment of such judgments:
 35 *Provided*, that not more than one-half of such jury shall be residents of the
 36 town which is liable to pay the damages: *Provided, further*, that in case the
 37 owner of said lands is a non-resident, service may be had by leaving a copy
 38 with the occupant or agent, or by notice in the samemanner as prescribed in
 39 section 44, of this act.

§ 9. In grading roads, wherever practicable, it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and it shall be unlawful to ride or drive on such walk; and any person so
 4 offending shall be subject to a fine of five dollars for each offense. Corner
 5 stones marking sectional or other corners, shall not be disturbed, except to so
 6 grade the road that these, if in the line of travel, shall not rise above the
 7 surface, and corner stakes shall be replaced by good and substantial stones
 8 In grading public roads if a ditch is made at the junction of roads, or at
 9 the entrance of gates or other openings of border premises, the road
 10 authorities shall construct good and sufficient culverts, or other convenient
 11 crossings.

§ 10. The commissioners shall meet with the town clerk on the second
 2 Tuesday after the annual town meeting, and organize by electing one of
 3 their number president; and they shall proceed to consult on their duties,
 4 and how best to exercise their powers as enumerated in section three of this
 5 act. Special meetings may be called by the president of the board or any
 6 two members.

§ 11. At this meeting they shall make out a list of able-bodied men in
2 their town between the ages of twenty-one and fifty years, and deliver the
3 same to their treasurer on or before the first day of May, in each year,
4 and assess at such meeting against each person upon such list the sum of one
5 dollar, as a poll-tax for highway purposes, to be paid to such treasurer
6 by the first Monday in June, of each year: *Provided*, that paupers,
7 idiots, lunatics and such others as are exempt by law, shall not be compelled
8 to pay a poll-tax for highway purposes: *Provided, also*, that this list shall
9 not include persons within the limits of cities or incorporated villages. They
10 shall, within ten days after such list is delivered to their treasurer, cause
11 written or printed notices to be given to each person so assessed, notifying
12 him of the time when, and place where such tax must be paid, and if this poll-
13 tax shall not be paid, by the first Monday of June, in such year, it shall be
14 the duty of the commissioners, in the name of the town, to bring suit
15 therefor against such person before some justice of the peace having
16 jurisdiction thereof; summons shall be issued and returned in the same
17 manner as provided by law in other cases. If judgment is rendered against
18 defendant, the court shall find in such judgment that the same is for poll-tax
19 unpaid, and shall endorse the same on the execution, if one is issued. No prop-
20 erty belonging to the defendant shall be exempt from levy to satisfy such
21 execution.

§ 12. The constable to whom such execution shall be delivered, shall
2 forthwith collect the moneys therein mentioned. He shall pay the money
3 so collected, when collected, to the justice of the peace who issued the execu-
4 tion, who is hereby required to pay the same to the treasurer of the road and
5 bridge fund.

§ 13. The commissioners shall also meet semi-annually on the same day and
2 at the same place of meeting of board of town auditors. At the meeting
3 immediately preceding the annual meeting of the county board, the commis-
4 sioners shall determine what per cent. shall be levied on the property of the
5 town for roads and bridges, which levy shall not exceed sixty cents on each one
6 hundred dollars.

§ 14. If, in the opinion of the commissioners, a greater levy is needed in view of some contingency, they may certify the same to the board of town auditors and the assessor, a majority of whom shall be a quorum, and with the consent of any three of this town board, given in writing, an additional levy may be made of any sum not exceeding forty cents on the one hundred dollars of the property of the town.

§ 15. When damages have been agreed upon, allowed or awarded for laying out, widening, altering or vacating roads, or for ditching to drain roads, the amounts of such damages shall be included in the first succeeding tax levy, provided for in section 13, of this act; and when collected shall constitute and be held by the treasurer of the commissioners as a separate fund to be paid out to the parties entitled to receive the same.

§ 16. The commissioners at said semi-annual meeting shall make a certificate of the rate percentum finally agreed upon, by virtue of section 13 and 14, of this act. Also the amount to liquidate road and ditch damages, and shall cause such certificate to be delivered to the town clerk, to be kept by him on file for the inspection of the inhabitants of said town, and the town clerk shall at once certify these two items of levy to the county clerk, to be by him extended separately upon the collector's book of said town to be collected as other taxes, and when collected shall be paid to the treasurer of the commissioners by the collector, as fast as the same is collected, except such rate per cent. as shall be allowed for collecting the same.

§ 17. Whenever damages have been allowed for roads or ditches the commissioners may draw orders, attested by the clerk on the treasurer, payable only out of the tax to be levied for such roads or ditches, when the money shall be collected or received to be given to persons damaged.

§ 18. At the semi-annual meeting immediately preceding the annual town meeting, the commissioners shall meet, and report to the board of town auditors in writing:

1. The amount of poll-tax assessed, how much paid, and how much delinquent.

2. The amount of road and bridge money received by the town, and a full and detailed statement as to how and where expended, and the balance, if any, unexpended.

3. The amount raised for damages in laying out, altering, widening or vacating roads, and right of way for ditches.

4. The amount of liabilities incurred and not paid; and if such liabilities are undetermined, they shall be estimated.

5. Any additional matter concerning the roads and bridges of the town they may think expedient and proper to make.

§ 19. When it is necessary to construct or repair any bridge over a stream, or to construct or repair any other distinct and expensive work on a public road in any town, or on, or near to, or across a town line, in which work the town is wholly or in part responsible, and the cost of which will be more than twenty cents on the one hundred dollars on the latest assessment roll, and the levy of the road and bridge tax for that year in said town was for the full amount of sixty cents on each one hundred dollars, allowed by law for the commissioners to raise, the major part of which is needed for the ordinary repair of roads and bridges, the commissioners may petition the county board for aid; and if the foregoing facts shall appear, the county board shall appropriate from the county treasury a sum sufficient to meet one-half the expenses of the said bridge or other work, on condition that the town asking aid shall furnish the other half of the required amount. The expenditure of these joint funds shall be made by the commissioners, and two persons appointed by the board of supervisors, and any surplus funds appropriated by the county board, after the completion of the work, shall be paid into, or lapse into the county treasury: *Provided, however,* that before any bridge shall be constructed or repaired, or any other distinct or expensive work on a public road, constructed or repaired under the provisions of this section, the commissioners shall make a careful estimate of the probable cost of the same, and attach thereto their affidavits that the same is necessary, and the bridge to be constructed, or repaired, or the distinct or expensive work on a public road to be constructed or repaired, will not be made more expen-

24 sive than is needed for the purpose desired; and such estimate and affidavit
shall be filed with the petition.

§ 20. When the commissioners desire to expend on any bridge or other distinct and expensive work on the road, a greater sum of money than is available to them by other means, the said commissioners may petition the supervisor of the town to call a special town meeting to vote on the proposition, which shall be clearly stated in the petition substantially as follows: "To borrow \$ ——— to construct or repair, [describe the bridge or other work]." which said petition shall be signed by said commissioners in their official capacity and by at least twenty-five freeholders of such town; and thereupon such petition shall be filed in the office of the town clerk of such town. Upon the filing of said petition, the supervisor shall order the town clerk, by an instrument in writing to be signed by him, to post up in four of the most public places in said town, notices of such special town meeting; which notice shall state the object, time and place of meeting, the maximum sum to be borrowed, and the manner in which the voting is to be had, which shall invariably be by ballot, and shall be "For borrowing money to [here define the purpose]" or, "Against borrowing money [here define the purpose]." The special town meeting shall be held at the place of the last annual town meeting, by giving at least ten days' notice, and returns thereof made in the same manner as other special town meetings are now or may hereafter be provided by law; and if it shall appear that a majority of the legal voters voting at said election shall be in favor of said proposition, the supervisor and town clerk, acting under the direction of the commissioners of said town, shall issue from time to time, as the work progresses, a sufficient amount in the aggregate of the bonds of said town for the purpose of building such bridge, or other distinct and expensive work; said bonds to be of such denominations, bear such rate of interest, not exceeding six per cent., upon such time, and be disposed of as the necessities and conveniences of said town officers require: *Provided*, that said bonds shall not be sold or disposed of for less than their par value, and such town shall provide for the payment of such bonds and the interest thereon by appropriate taxation.

§ 21. Bridges over streams which divide towns or counties, and bridges over streams on roads on county or town lines, shall be built and repaired at the expense of such towns or counties: *Provided*, that for the building and maintaining of bridges over streams near county or town lines, in which both are interested, the expense of building and maintaining any such bridges shall be borne by both counties or towns in such portion as shall be just and equitable between said towns or counties, taking into consideration the taxable property in each, the location of the bridge and the advantage of each to be determined by the commissioners in making contracts for the same as provided for in section 23, of this act.

§ 22. For the purpose of building or keeping in repair such bridge or bridges, it shall be lawful for the commissioners of such adjoining towns, whether they be in the same or different counties, or county boards of such adjoining counties to enter into joint contracts, and such contracts may be enforced in law or equity, against such commissioners jointly, the same as if entered into by individuals, and such commissioners or county boards may be proceeded against, jointly, by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damage growing out of such neglect.

§ 23. Whenever the commissioners of either of such adjoining towns shall refuse to enter into such joint contracts to build and maintain such bridge or bridges, the commissioners of the other town may call a special town meeting to vote upon the proposition as to whether such town shall proceed to build and maintain such bridge or bridges at its own expense. If such proposed bridge shall require a greater sum of money to complete it than is available to the commissioners by other means, they may also submit the proposition to such special town meeting to borrow money to build such bridge. The voting shall be by ballot, and if simply the question as to the building of the bridge is submitted, if the voter desires to vote for building the bridge, his ballot shall state "to build bridge," and if he desires to vote against the proposition, his ballot shall state "against the proposition to build bridge." If the proposition to borrow money to build such bridge shall be included in the notice, the maxi-

14 mum amount to be borrowed shall be stated in the same, and the voter desiring
 15 to vote affirmatively shall state on his ballot "to build bridge and to borrow
 16 money to construct the same;" and if he desires to vote negatively, his ballot
 17 shall state "against the proposition to build bridge and to borrow money to
 18 construct the same." Such special town meeting shall be called and held in the
 19 same manner which is provided for special town meetings in section 20, of this
 20 act. If the proposition to build such bridge shall receive a majority of all the
 21 votes cast at such election, the commissioners shall then have the power to con-
 22 tract for the building of such bridge and approaches thereto the same as if the
 23 bridge was entirely located in such town, and shall have the power to acquire
 24 by purchase, lease or gift, any private bridge already built, suited to their pur-
 25 pose, or any land upon which to build the approaches, or may use for the pur-
 26 pose of such approaches any public highway that may lead to the bank of the
 27 stream where said bridge is to be built on either side of said stream, whether
 28 such highway may be within the limits of said town or county or not. If the
 29 proposition to build such bridge and borrow money to build the same shall
 30 receive a majority of the votes cast at such special town meeting, the supervisor
 31 and town clerk, under the direction of the commissioners, shall issue from
 32 time to time, as the work progresses, a sufficient amount in the aggregate of
 33 the bonds of said town for the purpose of building such bridge and the
 34 approaches thereto, or to purchase any private bridge already built, as the case
 35 may be; said bonds to be of such denominations, bear such rate of interest, not
 36 exceeding eight per cent. upon such time, and be disposed of as the necessities
 37 and conveniences of said commissioners may require. Such bonds shall not be
 38 sold for less than their par value, and such town shall provide for the payment
 39 of such bonds and interest by appropriate taxation.

§ 24. If the commissioners of either of such towns or county boards of
 2 such counties after reasonable notice in writing, from the commissioners of
 3 any other such towns or county boards of such counties, shall neglect or refuse
 4 to build or repair any such bridge when any contract or agreement has been
 5 made in regard to the same, it shall be lawful for the commissioners or county
 6 board so giving notice to build or repair the same to recover, by suit, one-half

7 (or such amount as shall have been agreed upon) of the expense of so build-
 8 ing or repairing such bridge, with costs of suit and interest from the time of
 9 the completion thereof, from the commissioners or county board so neglecting
 10 or refusing.

§ 25. The commissioners are hereby authorized to contract for the construc-
 2 tion and repairing of roads and bridges, but when such contracts are for a
 3 sum exceeding \$75.00, they shall give at least ten days' notice of time and place
 4 of letting such contract by posting notices in at least ten public places in and
 5 contiguous to the town, describing the work and time of completion: *Provided*,
 6 in case where bridges have been suddenly destroyed on any important high-
 7 way, then such commissioners may privately contract for replacing such
 8 bridge to an amount not exceeding \$150.

§ 26. Contracts for constructing and repairing roads and bridges on town
 2 lines, or across streams on town lines shall be let by the commissioners of
 3 the two towns, who shall meet and act as one body when taking action upon
 4 the letting of such contracts for the construction or repair of such roads
 5 and bridges, or acceptance of the work when such contracts are for the
 6 expenditure of a sum exceeding \$100, they shall advertise for bids in the
 7 same manner as provided in the preceding section, except that the notices
 8 shall be posted in and contiguous to the two towns.

§ 27. At such public letting, as provided for in the two preceding sections,
 2 the commissioners shall have the right to reject any and all bids if they deem it
 3 to the best interests of the town, and no contract shall be considered as let unless
 4 the contractor shall, within ten days after the letting, enter into contract and
 5 file a bond with two good and sufficient sureties with the commissioners, in the
 6 penal sum of double the value of the amount of the contract, payable to the
 7 commissioners of the town, upon failure to comply with the conditions of his or
 8 their contract.

§ 28. All contracts for the construction or repair of roads, or building or re-
 2 pairing of bridges, shall be made payable as soon as the work on said contract
 3 is completed and accepted by the commissioners.

§ 29. The commissioners of highways may, when they shall deem it advisable, put up and maintain in conspicuous places, at each end of any bridge, a notice with the following words in large characters, "Five dollars fine for riding or driving on this bridge faster than a walk." If any person shall ride or drive faster than a walk over any bridge upon which such notice has been placed, he shall forfeit to the town in which such bridge is located five dollars for every such offense.

§ 30. The supervisor of the town shall be *ex-officio* treasurer of the commissioners, and the town clerk shall be clerk of the commissioners and custodian of all the papers relating to their office. The supervisor, as treasurer, shall receive and have charge of all moneys collected and received for the maintenance of roads and bridges, and for road and ditch damages. He shall pay out said moneys on the order of the commissioners, attested by the clerk, and not otherwise, and keep a separate account thereof. He shall execute a bond in double the amount of money likely to come into his hands, with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such treasurer; that he will honestly and faithfully account for and pay over, upon the proper orders, all moneys coming into his hands as treasurer, and the balance, if any, to his successor in office. Before receiving these funds he shall give this bond to the town, to be approved by the town clerk and assessor, and filed in the office of the town clerk with such approval endorsed thereon. After the election of supervisors in the year 1884, the bond as now required to be given by the supervisor by virtue of his office, shall be made to include the duties and responsibilities herein prescribed as treasurer of the commissioners and custodian of the road and bridge funds.

LAYING OUT ROADS.

§ 31. All public roads established under the provisions of this act, shall be of the width of sixty feet: *Provided*, that roads, not exceeding two miles in length, may be of a width not less than forty feet nor more than sixty feet, and roads called public and private, may be of the width as in this act provided. All public roads laid out as herein provided shall be opened within

two years from the time of laying out the same. If not opened within the time aforesaid, the same shall be deemed to be vacated.

§ 32. The commissioners may alter, widen or vacate any road, or lay out any new road in their respective towns when petitioned by any number of land owners, not less than twelve, residing in such town and within three miles of the road so to be altered, widened, vacated or laid out.

§ 33. Said petition shall set forth in writing, a description of the road, and what part thereof is to be altered, widened or vacated, and if for a new road, the names of the owners of lands, if known, and if not known it shall be so stated, over which the road is to pass, the points at or near which it is to commence, its general course, and the place at or near where it is to terminate.

§ 34. Whenever the commissioners shall receive any such petition, they shall fix upon a time when and place where they will meet to examine the route of such road, and to hear reasons for or against the altering, widening, vacating or laying out the same; and they shall give at least ten days' notice of the time and place of such meeting, by posting up notices in three of the most public places in the township in the vicinity of the road to be widened, altered, vacated or laid out.

§ 35. The commissioners may, by public announcement, and by the posting of a notice at the time and place named for the first meeting, adjourn the meeting from time to time, but not for a longer period than ten days in all; and shall, at the first or such adjourned meeting, within said ten days, decide and publicly announce whether they will grant or refuse the prayer of the petition, and shall indorse upon or annex to the petition a brief memorandum of such decision, to be signed by the commissioners. Such decision shall be subject to revocation, in case the prayer of the petition is granted, in the manner hereinafter provided. In case the commissioners refuse to grant the prayer of the petition, they shall within five days thereafter, file the same, so indorsed or with such decision annexed thereto, in the office of the town clerk.

§ 36. If the petition is simply for the vacation of a road, and the commissioners, or a majority of them, shall, at such meeting decide that the prayer of the petitioners should be granted, they shall order such road to be vacated,—a copy of which order, together with the petition, shall be by them filed with the town clerk; such order to be so filed within five days after the date of such decision.

§ 37. If such petition is for the establishment of a new road, or the alteration or widening of an existing road, and the commissioners or a majority of them, shall be of the opinion that the prayer of the petitioners should be granted, they shall cause a survey and plat of such road to be made by a competent surveyor, who shall report such survey and plat to said commissioners, giving the courses and distances, and specifying the land over which said road is to pass—in which they may make such changes between the termini of the road described in the petition as the convenience and interest of the public, in their judgment, may require.

§ 38. Upon the petition of twelve land owners residing in the town where the road is situated, it shall be the duty of the commissioners, within a reasonable time, to employ a competent surveyor and have any road designated in such petition in their several towns re-surveyed, and plats thereof made, which plats and surveys shall be by them filed for record in the office of the town clerk: *Provided*, that this section shall not apply where the same has been already done, unless the exact location of such road is uncertain.

§ 39. The establishment of a new road on the route of a road already established according to law, shall not vacate the road previously established, unless such vacation is prayed for in the petition, and so declared in the order establishing a new road.

§ 40. They shall also, before they order any road to be established, altered, widened or vacated, ascertain as hereinafter provided, the aggregate amount of damages which the owner or owners of land over which the road is to pass shall be entitled to, by reason of the location, alteration or vacation of such road: *Provided, however*, that in case an appeal is taken from the assessment of damages before the justice of the peace, the

7 commissioners may in their discretion, make an order laying out, widening
8 altering or vacating such road, either before or after such appeal is determined,
9 in the manner hereinafter provided.

§ 41. The damages sustained by the owner or owners of the
2 land, by reason of the establishment, alteration, widening or vacation
3 of any road, may be agreed upon by the owners of such lands, if com-
4 petent to contract, and the commissioners, or they may be released
5 by such owners—in which case the agreement or release shall be in writing, and
6 shall be filed and recorded with the copy of the order establishing, altering
7 widening or vacating such road, in the town clerk's office, and shall be a per-
8 petual bar against such owners, their grantees and assigns, for all further
9 claims for such damages.

§ 42. In case such damages are not released or agreed upon as in the pre-
2 ceding section specified, the commissioners shall within ten days from the date
3 of the meeting at which it was decided to grant the prayer of the petition
4 make a certificate that they are about to establish, widen, vacate or alter a
5 public road, describing such road, vacation, widening or alteration, and the
6 land over or on which such road is to be established, altered, widened or vacated,
7 and naming the owners of such lands, if known, and if not known stating the
8 fact, and asking for a jury to assess the damages of such owners, and shall
9 present such certificate to some justice of the peace of the county, who on
10 receipt of the same shall within five days issue a summons against the land
11 owners concerned, which summons shall be in the following form as nearly as
12 the case will admit, viz:

13 STATE OF ILLINOIS, }

14 COUNTY: }

15 The People of the State of Illinois, to any constable of said county, greet-
16 ing:

17 You are hereby commanded to summon and to appear before
18 me at on the day of ... at ... o'clock, and prove to a jury then and
19 there to be empannelled, such damages as he or they may sustain on account
20 of the establishing, altering, widening or vacating the road described in a cer-

21 tificate of the commissioners of the town of....., in said county, which
 22 certificate is now on file in my office.

23 Given under my hand and seal this day of 18..

24 Justice of the Peace.

25 in which summons the justice shall specify a certain place, day and hour for
 26 the trial, not less than six nor more than fifteen days from the date of such
 27 summons, at which time and place such land owners are to appear. Such sum-
 28 mons shall be served at least three days before the time of trial mentioned
 29 therein, by reading the same to the land owners therein named.

§ 43. If any such owner is an infant, such summons shall be served by deliver-
 2 ing a copy to the infant, and its guardian, if any, if no guardian, the person with
 3 whom he or she resides. If any owner is a lunatic or habitual drunkard, having
 4 a conservator, by delivering a copy to his conservator.

§ 44. In case it shall appear, either from the certificate of commissioners, the
 2 affidavit of any person, or the return of any officer to whom the notice may be
 3 delivered for service, that there are non-resident or unknown owner or owners,
 4 who cannot be found and served within the county, such justice shall also
 5 cause notice to be delivered to the occupant of such lands, and the contents and
 6 nature thereof to be made known to such occupant, and also to be posted in
 7 three of the most public places in the vicinity of such proposed road or altera-
 8 tion, at least ten days before the time fixed in the summons for hearing proof
 9 of damages, stating the time and place, as stated in said summons, and describ-
 10 ing the road to be established or altered, and the lands for which damages are
 11 to be assessed; and in case service is made upon any owner by posting notices as
 12 above, provided the justice shall continue said hearing for a period not exceed-
 13 ing twelve days.

§ 45. Such justice shall also forthwith issue a venire directed to any con-
 2 stable of the county, to summons six persons having the qualifications of jurors
 3 to appear at such time and place as may be designated for the proving of
 4 such damages, whose competency shall be determined the same as in other
 5 civil cases before justices of the peace. Either party to the case shall have
 6 the same right of challenge as in other civil cases; and any deficiency in the

7 number of jurors, from whatever cause, shall be supplied by summoning other
 8 persons residing in said county: *Provided*, that not more than one-half of such
 9 jury shall be residents of the town liable to pay the damages assessed in the
 10 case. *Provided, further*, that changes of venue may be granted, if applied for
 11 before the commencement of the trial, in the same manner as in other civil
 12 causes before justices of the peace.

§ 46. The jury shall appear before and be sworn by such justice faith-
 2 fully and impartially to assess the damage of each of the owners specified
 3 in such certificate, or those of them whose claims are then to be adjusted, ac-
 4 cording to law, to the best of their judgment and understanding; and all parties
 5 in interest shall be entitled to subpoenas and other writs and papers, and the
 6 trial shall be conducted as in other civil cases.

§ 47. The case shall be entitled "Commissioners of the town of—vs.—"
 2 (whoever may be summoned as land owners), and the jury shall hear such law-
 3 ful evidence touching the question of such damages as may be presented to
 4 them; and shall also, on request of a majority of the commissioners or owners of
 5 lands whose damages are to be determined, in a body visit and examine the
 6 proposed location, alteration, widening or vacation of such road, and the lands
 7 to be taken and affected thereby, and make a written verdict specifying the
 8 amount of damages, if any, which every such owner shall recover, and return
 9 the same to such justice, to be by him entered on his docket in the nature of a
 10 judgment: *Provided*, that in estimating the damages, except damages to land
 11 actually taken for a road, the jury may consider the benefits conferred; but no
 12 benefits enjoyed in common by the owners of surrounding property shall be
 13 considered in estimating damages.

§ 48. Within ten days after the total amount of damages shall have been
 2 ascertained, either by release or agreement of the parties, or by assessment be-
 3 fore a justice of the peace and a jury, in the manner hereinbefore provided,
 4 the commissioners shall hold a meeting to finally determine upon the laying
 5 out, altering, widening or vacation of such road; of which meeting said com-
 6 missioners shall give public notice, by causing not less than three notices
 7 thereof to be posted in public places within the town, at least five days prior

§ 49. In cases where the damages are not wholly released or agreed upon, and the commissioners shall be of the opinion that the damages assessed by the jury are manifestly too high, and that the payment of the same would be an unreasonable burden upon the tax-payers of the town, the commissioners may revoke all proceedings had upon the petition by a written order to that effect; and such revocation shall have the effect to annul all such proceedings and assessments, releases and agreements, in respect to damages growing out of the proceedings upon the petition: *Provided*, upon the final determination of the commissioners of highways, or the supervisors, upon appeal being determined, and a copy of all such proceedings being filed in the town clerk's office, no other proceeding shall be had by the commissioners of highways, nor any petition entertained in regard to the same road or petition for one year from the date of filing such copies of proceedings. And after two trials as aforesaid, if the decision be the same, no other petition shall be entertained for the same until the expiration of three years from the filing of the last proceedings.

§ 50. In case the commissioners shall not revoke such prior proceedings they shall make an order, to be signed by them, declaring such road so altered, widened or laid out a public highway, and which order shall contain or have annexed thereto a definite description of the line of such road, together with a plat thereof. The commissioners shall, within five days from the date of such order, cause the same, together with the report of the surveyor, the petition and the releases agreements or assessments in respect to damages, to be deposited and filed in the office of the town clerk, who shall note upon such order the date of such filing. It shall be the duty of such clerk, after the time for appeal to supervisors has expired, and in the case of such appeal, after the same shall have been determined, in case the prayer of the petition is granted, to record such order, together with the plat of the surveyor, in a proper book to be kept for that purpose.

§ 51. In cases where the damages claimed by the land-owners for the right of way are released, or are agreed upon between the land-owners and commissioners, the commissioners may, at their first meeting or at any adjourned meeting,

4 examine the route of the road, and cause a survey thereof to be made, and
 5 make their order establishing, altering, widening or vacating the road, accord-
 6 ing to the prayer of the petition, and return the same within the time and in
 7 the manner specified in this act.

§ 52. Any person or persons interested in the establishment, alteration,
 2 widening or vacation of any road in this State, are hereby authorized to offer
 3 inducements to the commissioners for the establishment, alteration,
 4 widening or vacation of any such road, by entering into contract
 5 with said commissioners, conditioned upon such establishment, alteration,
 6 widening or vacating, to pay money or other valuable thing to the town
 7 for the benefit of the road and bridge funds of the same; or to perform any
 8 labor, or to construct any road, bridge or culvert on any road which said
 9 person or persons desire to have established, widened or altered. And such
 10 contracts, in writing, made with said commissioners, shall be deemed good
 11 and valid in law, and may be enforced by said commissioners or their succes-
 12 sors in office before any court having jurisdiction

§ 53. The records of the town clerk, or a certified copy of such record
 2 and papers, relating to the establishment, location, alteration, widening or
 3 vacation of any road, shall be *prima facie* evidence in all cases that all the
 4 necessary antecedent provisions had been complied with, and that the action
 5 of the commissioners or other persons and officers in regard thereto was
 6 regular in all respects.

§ 54. Whenever a public road is ordered to be established or altered,
 2 according to the provisions of this act, which road shall pass through or on
 3 enclosed land, the commissioners of highways shall give the owner or occu-
 4 pant of such land sixty days' notice, in writing, to remove the fences. If such
 5 owner or occupant does not remove the fence or fences within sixty days after
 6 such notice, the commissioners shall have the same removed, and direct the
 7 road to be opened and worked. The owner of such premises shall pay all
 8 necessary costs of removal, and the same may be recovered by the commis-
 9 sioners before any justice of the peace of the county.

§ 55. Roads for private and public use, of the width of three rods or less, may be laid out from one dwelling or plantation of an individual to any public road, or from one public road to another, or from a lot of land to a public road, on petition to the commissioners by any person directly interested. The commissioners, on receiving such petition, shall have power to lay out the road as asked for therein, to which end they shall proceed and examine into the merits of the case, and shall be governed in their proceedings by the rules and regulations prescribed in this act in relation to public roads. The jury shall consider the damages that may result to parties from said proposed road, and shall assess the damages to each individual owner of lands affected thereby. The amount of such damages shall be paid by the persons benefited thereby to the extent and in proportion that they are benefited, to be determined and declared by the jury. The remainder of the amount of damages over and above that to be paid by the parties as aforesaid, shall be paid by the town as in other cases. The amount of damages to be paid by individuals shall be paid to the parties entitled thereto before the road shall be opened for use. An appeal may be taken on the question of the propriety and necessity of such road as in other cases.

§ 56. If such road or cartway shall not be opened by the petitioners within two years from the time of making the order for the location of the same, such order shall be regarded as rescinded.

§ 57. When such road or cartway is proposed to pass over inclosed lands the owners of such lands shall have a reasonable time, not exceeding eight months, to be designated by the commissioners, to harvest crops and remove fences which may be on such lands before such road or cartway shall be opened.

§ 58. Public roads may be established, altered, widened or vacated on township or county lines, or from one township into another, in the same manner as other public roads, except that in such case a copy of the petition shall be posted up in and presented to the commissioners of each town interested; said petition to be as in other cases, and signed by not less than twelve land owners residing in either county within three miles of the road so to be altered, widened, located

7 or laid out; whereupon it shall be the duty of the commissioners of the several
 8 districts to meet and act as one body, in the same time and manner as in other
 9 cases, in considering the petition, viewing the premises, adjusting damages and
 10 making all orders in reference to such proposed road alteration, widening or
 11 vacation, and a majority of all such commissioners must concur in all such
 12 orders; and a copy of all final orders and plats and papers shall be filed and
 13 recorded in each of the counties and towns interested.

§ 59. The commissioners shall also, in case a new road is established, allot to
 2 each of such towns the part of such road which each of such towns shall
 3 open and keep in repair, and the part so allotted shall be considered as wholly
 4 belonging to such town. They shall also divide the expenses and damages
 5 which may accrue from such location, widening or alteration, and if they cannot
 6 agree, they shall refer the matter to three disinterested land owners, as arbitra-
 7 tors, whose decision shall be final.

§ 60. Any person or persons interested in the decision of the commissioners
 2 in determining to or in refusing to lay out, alter, widen or vacate any road or re-
 3 voking any previous order or decision relative to any road, or in the verdict
 4 of any jury in assessing damages in opening, altering or vacating any road, may
 5 appeal from such decision to three supervisors of the county, outside of the
 6 town or towns in which such road or proposed road is located, within ten days
 7 after such decision has been filed in the office of the town clerk, by filing a
 8 written petition with some justice of the peace of the county, asking for an
 9 appeal, and stating on what grounds such appeal is taken.

§ 61. It shall be the duty of the justice of the peace to cause to be sum-
 2 moned three supervisors of the county to hear such appeal; and he shall fix
 3 in such summons upon a time and place near the road in question, when
 4 said appeal will be heard by them; and, at least three days before such
 5 trial, shall give a written notice to the said commissioners, and to at least
 6 three of the petitioners, of the time and place of said trial; and upon such
 7 appeal the said supervisors shall have the same power and authority that is
 8 by this act conferred on the commissioners, not only in regard to the laying
 9 out, altering, widening or vacating any road, but shall have the same power

10 to cause a jury to be called to assess damages, whenever the state of the
 11 proceedings require it, and the supervisors cannot agree with the owners of
 12 the land in regard to the same.

§ 62. The decision of a majority of the supervisors in any appeal case
 2 shall be taken as the decision of said supervisors; and they shall make a
 8 report of their proceedings and decision in the case, and in like manner that
 4 is by this act required of the commissioners, and shall be entitled to two
 5 dollars and fifty cents per day. Their decision shall be final in regard to
 6 laying out, altering, widening or vacating such road, or in refusing to do
 7 the same.

§ 63. Any parties taking an appeal from the award of the decision of the
 2 commissioners, or the verdict of the jury, shall file a sufficient bond
 3 with the justice of the peace, or town clerk, before taking such appeal.
 4 conditioned for the payment of the cost of such appeal, in case the decision
 5 of the commissioners or the verdict of the jury is in all things sustained,
 6 or the appeal dismissed; if the award of the highway commissioners, or ver-
 7 dict of the jury shall not be sustained, the town shall pay the cost of such
 8 appeal.

§ 64. When the commissioners of one town disagree with the commissioners
 2 of an adjoining town, in regard to the laying out of a new road, or the altera-
 3 tion, widening or vacation of an old road on any county or town line, appeals
 4 may be taken from such decision in the same manner as where the road is
 5 wholly in one town. When such decision is in regard to a road on a county
 6 line, two supervisors shall be selected from one county and one supervisor
 7 shall be selected from the other, by the justice of the peace, who shall issue
 8 his summons accordingly.

§ 65. All roads heretofore laid out upon town or county lines, shall be
 2 divided, allotted and kept in repair in the manner as hereinbefore directed.
 3 Any public road that is or shall hereafter be laid out on a county or town line,
 4 shall be held to be a road on a county or town line, although, owing to the topo-
 5 graphy of the ground along said county or town line, or at the crossing of any
 6 stream of water, the proper authorities, in establishing or locating such road,

7 may have located a portion of the same to one side of such county or town line.

§ 66. Roads may be laid out and opened upon the line between this and
2 any adjoining State, as provided in the preceding sections, whenever the
3 laws of such adjoining State shall be applicable.

§ 67. All public roads laid out by order of the commissioners or supervisors,
2 on appeal, shall be opened within three years from the time of laying out the
3 same. If not opened within the time aforesaid, the same shall be deemed to
4 be vacated.

§ 68. The commissioners shall receive for their services the sum of two
2 dollars per day for each day necessarily employed in the performance of
3 their duties. Upon a sworn statement to be filed by each commissioner in the
4 town clerk's office, showing the number of days he was employed, and the kind
5 of employment, and giving the dates thereof, and the treasurer shall receive
6 two per cent commission for the disbursement of the road and bridge funds,
7 to be audited and paid from the town funds.

§ 69. If the commissioners shall willfully refuse or neglect to perform any of
2 the duties enjoined on them by this act, they shall severally forfeit not less
3 than ten dollars, nor more than fifty dollars, and may be proceeded against,
4 in the name of the town, severally or jointly, for the recovery of such forfeiture
5 before any justice of the peace in the proper county having jurisdiction.

LAW OF THE ROAD.

§ 70. The term "carriage," as used in this act, shall be construed to include
2 stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle
3 used for the transportation of passengers and goods, or either of them.

§ 71. Nothing contained in this act shall interfere with or affect any law con-
2 cerning hackney coaches or carriages in any of the cities of this State, nor
3 interfere with nor affect the laws or ordinances of any such city for the licens-
4 ing or regulating such coaches or carriages. Justices of the peace shall have
5 jurisdiction in all cases arising under this act, where the penalty does not exceed
6 their jurisdiction.

§ 72. For destroying or defacing any guide-board, post, or milestone, or any
2 notice or direction put up on any bridge or otherwise, by or with the authority

3 of the commissioners, the offender shall forfeit a sum not less than three
4 dollars, nor more than fifty dollars.

§ 73. If any person shall injure or obstruct a public road by falling a tree or
2 trees in, upon or across the same, or by placing or leaving any other obstruction
3 thereon, or encroaching upon the same with any fence, or by plowing or digging
4 any ditch or other opening thereon, or by turning a current of water so as to
5 saturate or wash the same, or shall leave the cuttings of any hedge thereon, for
6 more than ten days, they shall forfeit for every such offense a sum not less than
7 three dollars, nor more than ten dollars; and in case of placing any obstruction
8 on the highway, an additional sum of not exceeding three dollars per day for
9 every day he shall suffer such obstruction to remain after he has been ordered
10 to remove the same by any of the commissioners; complaint to be made by any
11 person feeling himself aggrieved: *Provided*, this section shall not apply to any
12 person who shall lawfully fell any tree for use, and will immediately remove
13 the same out of the road, nor to any person through whose land a public road
14 may pass, who shall desire to drain his land, and shall give due notice to the
15 commissioners of such intention: *And provided, further*, that the commissioners,
16 after having given reasonable notice to the owners or persons so ob-
17 structing or plowing or digging ditches upon such road, of the obstruc-
18 tion, may remove any such fence or other obstruction, fill up any such ditch or
19 excavation, except ditches necessary to the drainage of an adjoining farm,
20 emptying into a ditch upon the highway, and recover the necessary cost of such
21 removal from such owner or other person obstructing such road aforesaid,
22 to be collected by said commissioners before any justice of the peace having
23 jurisdiction.

§ 74. It is hereby declared unlawful for any land owner, renter or other
2 person to deposit in a public road, weeds, trash, garbage or any offensive mat-
3 ter, and any person so offending shall be liable to a penalty of not less than
4 three dollars, nor more than ten dollars; but this shall not apply where
5 proper deposits may be made in good faith and in a proper manner to repair
6 the roads.

§ 75. If any person shall purposely destroy or injure any sidewalk, public bridge, culvert or causeway, or remove any of the timber or plank thereof, or obstruct the same, he shall forfeit a sum not less than three nor more than one hundred dollars, and shall be liable for all damages occasioned thereby and all necessary costs for rebuilding or repairing the same.

§ 76. All suits for the recovery of any fine or penalty under this act shall be brought in the name of the town in which the offense is committed, before any justice of the peace or police magistrate within the town who shall have jurisdiction in such cases to the extent of their jurisdiction in other cases; and it shall be the duty of the commissioners to seasonably prosecute for all fines and penalties under this act; but in case of a failure of said officers to so prosecute, complaint may be made by any person: *Provided*, said person shall, before bringing suit in the name of the town, give a bond for costs, as is provided for in the case of non-residents. But whenever any person shall enter complaint to any commissioner it shall be the duty of such commissioner to at once proceed to investigate as to the reasons of such complaint, and if such complaint is found to be just he shall at once proceed to prosecution: *Provided, further*, that the commissioners may sue and be sued on all contracts entered into by them for the construction and repairing of roads and bridges, and the judgment in any such case against the commissioners shall be a town charge.

§ 77. All fines recovered under the provisions of this act, unless otherwise provided, shall be paid over to the treasurer of the commissioners of the town where the offense is committed, to be expended upon the roads and bridges in the town.

§ 78. Any person owning, using or occupying lands on both sides of any public highway, shall be entitled to the privilege of making a crossing under said highway for the purpose of letting his cattle and other domestic animals cross said road: *Provided*, said person shall erect, at his own expense, a good and substantial bridge, with good railings on each side thereof, and build an embankment, of easy grade, on either side of said bridge; said bridge to be not less than sixteen feet wide, and to be approved by the commissioners of the

8 town in which said bridge is built, and the same to be kept constantly in good
 9 repair by the owner or occupant of said land, the construction subject always
 10 to the consent and approval of the commissioners of said town: *And provided,*
 11 *further,* that in case such crossing is made on any water-way or natural channel
 12 for water and where a culvert or bridge is maintained as required for road pur-
 13 poses, said owners or occupants shall not be required to pay for or construct
 14 any more of said crossing than the additional cost of such crossing over and
 15 above the necessary cost of a suitable culvert or bridge for road purposes at
 16 such place.

§ 79. Whenever any persons, travelling with any carriages, shall meet on
 2 any turnpike road or public highway in this State, the persons so meeting
 3 shall seasonably turn their carriages to the right of the beaten track,
 4 so as to permit each carriage to pass without interfering or interrupting,
 5 under the penalty of five dollars for every neglect or offense, to be recov-
 6 ered by the party aggrieved: *Provided,* this section shall not be construed
 7 to apply to a case where it is impracticable from the nature of the ground
 8 for the driver of the carriage or wagon to turn to the right of the beaten
 9 track.

§ 80. No person owning any carriage, running or traveling upon any road
 2 in this State for the conveyance of passengers, shall knowingly employ, or
 3 continue in employment, any person to drive such carriage who is addicted
 4 to drunkenness or the excessive use of spirituous liquors; and if any such
 5 owner shall violate the provisions of this section, he shall forfeit at the rate
 6 of five dollars per day for all the time he shall keep such driver in his
 7 employment. Any person driving his own team, or the team of another, on
 8 the public highway, when intoxicated, shall be subject to a fine of not less
 9 than three dollars, nor more than twenty-five dollars for each offense.

§ 81. That an act entitled "An act in regard to roads and bridges in coun-
 2 ties under township organization," approved May 28, 1879, in force July 1, 1879,
 3 and all other acts or parts of acts inconsistent herewith, be and the same
 4 are hereby repealed: *Provided,* that the repeal of said act shall not affect
 5 any suit or proceedings pending, or impair any right existing at the time

6 this act shall take effect: *And provided, also,* that the overseers of highways
 7 in office, when this act takes effect, shall continue in office till the expiration
 8 of their terms, and the road tax and road labor then due shall not be released
 9 from its obligations, and the delinquent list shall be duly returned and col-
 10 lected as now provided, the avails of which shall be paid to the treasurer of
 11 the commissioners.

AMENDMENTS

To Senate Bill Number 315, for "An Act in regard to roads and bridges in
 counties under township organization, and to repeal an act and parts of
 acts therein named."

Page 1, section three (3), line three (3), insert words "laborers or," after
 2 "employ," and strike out "or," before "employ."

3 Section five (5), line twenty-two (22), insert after "highway," "by causing
 4 the same to be cut and destroyed prior to the seeding of the same, and at
 5 the farthest, prior to September 1, in each and every year."

6 Section seven (7), line one (1), after second "willow," insert "or cotton-
 7 wood," and in line five (5), after "nuisance," "unless the same are planted
 8 by the consent of the commissioners."

9 In place of section eight (8), insert in lieu thereof section sixty-eight (68),
 10 of House Bill, as follows:

11 "Section 8. The commissioners of highways of the several towns are hereby
 12 authorized to enter upon any land adjacent to any highway in their town,
 13 for the purpose of opening any ditch, drain, necessary sluice or water-course,
 14 whenever it shall be necessary to open a water-course from any highway
 15 to the natural water-courses, and to dig, open and clean ditches upon said
 16 land for the purpose of carrying off the water from said highways, or to

17 drain any slough or pond on said highway: *Provided*, that unless the owner
 18 of such land, or his agent, shall first consent to the cutting of such ditches,
 19 the commissioners shall apply to any justice of the peace in the county in
 20 which such road is situated, for a summons directed to any constable of
 21 said county, commanding him to summon the said owner to appear before
 22 the said justice, at a time and place specified in such summons, not less
 23 than five nor more than fifteen days from the date thereof, for the purpose
 24 of having the damage assessed, which such owner may sustain by reason of
 25 the digging or opening of such ditches or drains. The said summons shall
 26 be under the hand of the said justice, and be served in the same manner
 27 as a summons is now served in civil actions before justices of the peace.
 28 On the return of such summons, ~~venue~~ shall be issued for a jury of twelve
 29 persons, who shall be summoned, and whose competency shall be determined,
 30 as in other cases in the trial of civil actions before justices of the peace;
 31 which jury shall assess such damages and render a verdict therefor, which
 32 shall be final and conclusive, of the amount of damages sustained by such
 33 person, and the amount so awarded shall be paid, before the commissioners
 34 of highways shall be warranted and empowered to enter such lands, and dig,
 35 open and clean such drains, ditches and water-courses, as aforesaid, for the
 36 purposes contemplated in this act; and the commissioners of highways are
 37 further authorized to use and employ the road and bridge money of their
 38 town for such purposes: *Provided*, that in case the owner of said lands is a
 39 non-resident, service may be had by leaving a copy with the occupant or
 40 agent, or by notice in the same manner as prescribed in section (44) of this act."

41 Section 9. After word "sidewalk." in line two (2), insert "and the space
 42 between these points shall be made a regular oval grade, so that the entire
 43 space can be used for traveling purposes."

44 Strike out section 10, and insert in lieu thereof section 11 of House bill,
 45 as follows:

46 "Section 10. The commissioners of each town shall meet on the second
 47 Tuesday after the annual town meeting in each year, at the town clerk's
 48 office, and shall organize as a board by electing one of their number presi-

49 dent, and one of their number treasurer, and the town clerk shall be ~~ex~~
 50 *officio* clerk of said board, and shall keep a record of all the official acts and
 51 proceedings of the board in a well bound book, to be provided for that
 52 purpose, which record shall be signed by the president and clerk. Said
 53 board shall hold regular meetings at such times as they shall designate,
 54 and special meetings as occasion may require, at the call of the president,
 55 or any two of the commissioners, and no official business shall be transacted
 56 by the board, except at a regular or special meeting. If the president or
 57 town clerk be absent from a meeting, or refuse to perform his official duties
 58 a president or clerk *pro tempore* shall be appointed from their own number.
 59 The treasurer so chosen shall receive and have charge of all moneys raised
 60 in the town for the support and maintenance of roads and bridges, except-
 61 ing such portions of the moneys as are hereinafter directed to be paid to the
 62 authorities of incorporated villages, towns and cities. He shall hold such
 63 moneys, at all times subject to the order of the commissioners of highways, and
 64 shall pay them over upon their order, or a majority of said commissioners, and
 65 not otherwise. Before the person so chosen as treasurer shall be entitled to
 66 act as such, and within ten days after his appointment, he shall execute a
 67 good and sufficient bond in double the amount liable to come into his hands,
 68 with two or more landholders as sureties, in such amount and in such manner
 69 as the supervisor and town clerk shall determine, conditioned for the faithful
 70 discharge of his duties as such treasurer, and that he will honestly and faith-
 71 fully account for and pay over, upon the order of the commissioners, all
 72 moneys that shall come to his hands by virtue of his said office; which bond
 73 shall be payable to the supervisor of the town and his successor in office, and
 74 be approved by the supervisor and town clerk, and filed in the town clerk's
 75 office; such treasurer shall receive such compensation, for such services as
 76 treasurer, as may be fixed by the commissioners, not to exceed two per cent. of
 77 the amount of money that comes into his hands, excepting such amount as he
 78 receives from his predecessor, and he shall keep an account in a book provided
 79 by the commissioners, of all moneys received and all moneys paid out, show-
 80 ing in detail to whom and on what account the same is so paid. The town

81 clerk shall, immediately upon the filing of said bond, notify the county
82 treasurer thereof by a certificate under his hand and seal."

83 Section 13. In line four (4), after the words "per cent," insert "of tax,"
84 and in line five (5), strike out "roads and bridges," and insert in lieu thereof
85 "road and bridge," and insert after "bridge," in line five (5). "purposea, and
86 for the payment of any outstanding orders drawn by them on their treas-
87 urer."

88 Section 14. Line four (4), after the word "of," strike out "any three of
89 this town," and insert in lieu thereof "a majority of this entire."

90 Section 15. In line three (3), after the word "damages," insert "not to
91 exceed, for any one year, twenty cents on each one hundred dollars of the tax-
92 able property of the town." Also insert in line four (4), after the word
93 "act," "and be in addition to the levy for road and bridge purposes."

94 Section 16. Strike out in line two (2), from "or to work," inclusive, and
95 insert "or any approach or approaches thereto by means of an embankment
96 or trestle work." In line eighteen (18), insert after "bridge," "or approaches,"
97 as contemplated as above. Strike out all of line eighteen (18), after "re-
98 paired," down to and including "repaired." in line nineteen (19). Strike out
99 all of line twenty-two (22), after "and," and all of line twenty-three (23), to
100 and including "repaired." Add to section 19, at end the following: *Provided*,
101 that in case of some emergency arising from the sudden destruction or se-
102 rious damage to a bridge or its approaches, when delay in repairing or re-
103 building would be detrimental to the public interest, such petition to the
104 county board may be presented during the progress of the work or after
105 its completion, and if the facts appear as contemplated by this section, then
106 the county board shall appropriate one half of such cost with like condi-
107 tions that the town pay the other half."

108 Section 20. Insert "ten," in place of "four," in line eleven (11).

109 Section 21. Line ten (10), insert "22," in place of "23."

110 Section 27. Strike out in line six (6), the words "the value of."

111 Section 28. Strike out in line two (2), the word "of."

112 Section 29. Line seven (7), strike out the words "every such," and insert
113 the word "each." Strike out section 30.

114 Section 32. Insert in line three (3), after the word "twelve (12)," "or two-
 115 thirds of the land owners." In line three (3), strike out the word "and."
 116 after the word "town."

117 Section 34. In line five (5), insert "five," in place of "three."

118 Section 49. In line thirteen (13), strike out "one," and insert "two." Strike
 119 out section 67.

120 Section 68. Strike out remainder of section after "thereof," in line five (5).
 121 Sub-head between 69 and 70, strike out "laws," and insert "law." Insert
 122 between sections 80 and 81, sections 13 to 56, both inclusive, of House Bill
 123 No. 606, with the following sub-head before the same, to-wit:

LABOR SYSTEM.

124 "Section 79. On petition of not less than 25 legal voters of any town in
 125 this State, in counties where township organization has been or may be
 126 hereafter adopted, asking to have the proposition to pay in labor, the district
 127 labor and property road tax submitted to the legal voters of said town and
 128 filed with the town clerk not less than 15 days before the last Tuesday in
 129 August, when it is desired to vote thereon at a special town meeting to be
 130 held on the last Tuesday in August, or not less than 15 days before the an-
 131 nual town meeting, when it is desired to vote thereon at said annual town
 132 meeting, the town clerk shall, thereupon, call a special town meeting on said
 133 last Tuesday in August, or state in the notice of the annual town meeting
 134 as the case may be, that the legal voters of such town may vote by ballot
 135 for or against the payment in labor of the district labor and property road
 136 tax; and if a majority of all the ballots cast are for the payment in labor
 137 of the district labor and property road tax, then all the following sections
 138 of this act, shall be in force in such town, otherwise they shall not be in
 139 force in any town in this State.

140 "Section 80. The town clerk shall deliver the lists filed by the overseers
 141 to the commissioners of highways of the town, who shall proceed to ascer-
 142 tain, estimate and assess the highway labor and road tax to be performed
 143 and paid in their town the next ensuing year.

144 "Section 81. Every able-bodied male inhabitant, being above the age of
 145 twenty-one years and under the age of fifty, (excepting paupers, idiots,
 146 lunatics and such others as are exempt by law) shall be required to labor
 147 on the highways in their respective road districts, not less than one nor
 148 more than three days in each and every year.

149 "Section 82. The commissioners of highways of each town shall annually
 150 ascertain, as near as practicable, how much money must be raised by tax on
 151 real and personal property, and railroad property known as "railroad track"
 152 and "rolling stock," for the making and repairing of roads only, to any
 153 amount they may deem necessary, not exceeding forty cents on each one
 154 hundred dollars' worth, as equalized and assessed by the State Board of
 155 Equalization for the purposes of taxation for the previous year, and shall
 156 levy and assess the same as a road tax against said property: *Provided*, that
 157 the tax on the property levied for road purposes only, lying within an incor-
 158 porated village, town or city, in which the streets and alleys are under the
 159 care of the corporation, shall be paid over to the treasurer of such village,
 160 town or city, to be appropriated to the improvement of roads, streets and
 161 bridges, either within or without said village, town or city, and within the
 162 township, under the direction of the corporate authorities of such village,
 163 town or city: *Provided, further*, that when any of said tax is expended beyond
 164 the limits of said village, town or city, it shall be with the consent of the
 165 road commissioners of the town: *And, provided, further*, that the authorities
 166 of such incorporated town, city or village may at any time direct the collec-
 167 tor not to collect the tax so levied within the limits of such incorporated
 168 town, city or village.

• 169 Section 83. The commissioners of highways shall affix to the name of each
 170 person named in the lists furnished by the overseers, the number of days
 171 assessed to each person for highway labor, and they shall make a list for
 172 each district, containing a description of each tract of land in the district,
 173 and the name of the owner, if known, and the name of the owner of any
 174 railroad property, known as "railroad track" and "rolling stock," and also a
 175 list of the names, in alphabetical order, of the personal property tax-payers,

176 and shall set opposite each tract of land the valuation thereof, as taken from
 177 the assessment roll of the previous year as equalized by the State Board of
 178 Equalization, and opposite each tax-payer's name the amount of his personal
 179 assessment on personal property, as taken from said roll, and opposite the
 180 name of each owner of railroad property, known as "railroad track" and
 181 "rolling stock," the valuation thereof, as assessed by the State Board of
 182 Equalization for the purposes of taxation for the previous year, and distrib-
 183 uted by the county clerk, and opposite each valuation and assessment they
 184 shall extend the road tax assessed thereon in a separate column. The lists
 185 so prepared shall be subscribed by the commissioners, and deposited with
 186 the town clerk, to be filed in his office.

187 "Section 84. The commissioners shall direct the clerk of the town to make
 188 a copy of each list, and shall subscribe such copies, after which they shall
 189 cause the several copies to be delivered to the respective overseers of high-
 190 ways of the several districts in which the highway labor is assessed. One
 191 copy for each overseer shall contain the name and number of days assessed
 192 to each person, the other, the real and personal property road tax.

193 "Section 85. It shall be the duty of the overseers to add the names of per-
 194 sons left out of any such list, and of new inhabitants, and to rate the per-
 195 sons so added in the same proportion to work on the highways as others
 196 rated by the commissioners on such list, subject to an appeal to the commis-
 197 sioners.

198 "Section 86. It shall be the duty of the commissioners of highways of
 199 each town, to credit such persons as live on private roads, and work the same,
 200 so much on account of their assessment, as such commissioners shall deem
 201 necessary to work such private road, or to annex such private road to some of
 202 the highway districts.

203 "Section 87. The town clerk shall, within ten days after the commissioners
 204 of highways have filed in his office the amount of road tax assessed on the
 205 real and personal estate of the towns, post a notice on the outer door of
 206 the house where the town meeting was last held, and two other public
 207 places in said town, stating the amount of road tax assessed on each one

208 hundred dollars' worth of real and personal estate of the town, and that
 209 persons interested can pay the same in labor on the highways, under the
 210 direction of the overseer of highways, in the district where the land or
 211 personal property is situated.

212 "Section 88. If the commissioners of highways shall refuse or neglect to
 213 perform any of the duties enjoined on them by this act, they shall severally
 214 forfeit not less than ten dollars, nor more than fifty dollars, and may be
 215 proceeded against, severally or jointly, for the recovery of such forfeiture
 216 before any justice of the peace in the proper county having jurisdiction.

217 "Section 89. The commissioners of highways in each town shall appoint
 218 as many overseers of highways as there are road districts in the town; and
 219 each overseer of highways so chosen, shall be a resident of the road dist-
 220 rict for which he is appointed, and shall hold his office for one year.

221 "Section 90. It shall be the duty of overseers of highways in each town:

222 *First*—To repair and keep in order the highways within their several
 223 districts for which they shall have been appointed.

224 *Second*—To warn all persons, from whom road labor is due, to work on
 225 the highways at such times and places, within their several districts, as
 226 they may think proper. The overseers of highways may contract with per-
 227 sons owing poll tax for road purposes, to perform a certain amount of labor
 228 on any road or bridge in their town or road district for the amount of such
 229 tax; and if the work is done within the time that the money should have
 230 been paid, the overseer shall give such person a receipt for such labor done
 231 or performed.

232 *Third*—To collect all fines and commutation money, and to execute all
 233 lawful orders of the commissioners of highways.

234 *Fourth*—To deliver to the clerk of the town, within ten days after their
 235 appointment, a list, subscribed by such overseers, of the names of all the
 236 inhabitants in his road district who are liable to work on highways.

237 "Section 91. If any person chosen or appointed to the office of overseer
 238 of highways, shall refuse to serve or if his office shall become vacant, the
 239 commissioners of highways of the town shall, by warrant, under their hands

240 appoint some other person in his stead; and the overseer so appointed shall
 241 have the same powers, be subject to the same orders and liable to the same
 242 penalties as overseers originally appointed.

243 "Section 92. The commissioners making appointment, shall cause such
 244 warrant to be forthwith filed in the office of the town clerk, who shall give
 245 notice to the person appointed as in other cases.

246 "Section 93. Every overseer of highways who shall refuse or neglect to
 247 perform any of the duties hereinbefore enumerated, or which may be law-
 248 fully enjoined on him by the commissioners of highways of his town, shall
 249 for every such refusal or neglect, forfeit the sum of ten dollars, to be
 250 sued for by the commissioners of highways of the town, and when recovered
 251 to be applied by them in making and improving the roads and bridges
 252 therein.

253 "Section 94. It shall be the duty of overseers of highways to give at
 254 least three days notice, either verbally or by leaving a written notice at their
 255 place of residence to all persons assessed to work on highways, and residing
 256 within the limits of their respective districts, of the time and place when
 257 and where they are to appear for that purpose, and with what implements;
 258 but no person, being a resident of the town, shall be required to work on
 259 any highway other than in the district in which he resides, except he re-
 260 sides in a district on a town line, which district belongs to an opposite
 261 town, and unless he shall elect to work in same district where he has land;
 262 and in said case he may, with the approbation of the commissioners of
 263 highways, apply the work assessed in respect to such land in the district
 264 in which the same is situated: *Provided*, if the overseers of highways fail
 265 to perform their duty, the commissioners of highways shall have power to
 266 perform such duties, or cause the same to be performed, under such rules
 267 as they may prescribe.

268 "Section 95. Every person able to work on the highways shall work the
 269 whole number of days for which he shall have been assessed; but every
 270 such person, other than an overseer of highways, may elect to commute for
 271 the same, or for any part thereof, at the rate of one dollar per day; in

272 which case such commutation money shall be paid to the overseer of high-
 273 ways of the district in which the person commuting shall reside, to be ap-
 274 plied and expended by such overseer in the improvement of the roads and
 275 bridges in the same district.

276 "Section 96. Any person intending to commute for his assessment, or any
 277 part thereof, shall, within three days after he shall be notified to appear
 278 and work on the highways, pay the commutation money for the work required
 279 of him by such notice; and the commutation shall not be considered as com-
 280 plete until such money be paid.

281 "Section 97. Every overseer of highways shall have power to require a
 282 team or a cart, wagon or plow, with a pair of horses or oxen, and a man to
 283 manage them for any person having the same within his district, who shall
 284 have been assessed two days or more, and who shall not have computed for
 285 his assessment; and the person furnishing the same upon such requisition,
 286 shall be entitled to a credit of two days for each day's service therewith.

287 "Section 98. Every person assessed to work on the highways, and named
 288 to work, may appear in person, or by an able-bodied man as a substitute,
 289 and the person or substitute shall actually work eight hours in each day,
 290 under a penalty of twenty-five cents for every hour such person or substi-
 291 tute shall be in default, to be imposed as a fine on the person assessed.

292 "Section 99. If any person, after appearing, remain idle, or not work faith-
 293 fully, or hinder others from working, such offender shall, for every offense,
 294 forfeit to the town the sum of two dollars,

295 "Section 100. Every person so assessed and duly notified who shall not
 296 commute, and who shall refuse or neglect to appear, as above provided, shall
 297 forfeit to the town, for every day's refusal or neglect, the sum or two dol-
 298 lars (\$2.00). If he was required to furnish a team, carriage, man or imple-
 299 ment, and shall refuse or neglect to comply, he shall be fined as follows:

300 *First*—For wholly failing to comply with such requisition, four dollars
 301 (\$4.00) for each day.

302 *Second*—For omitting to furnish a pair of horses or oxen, one dollar and
 303 fifty cents (\$1.50) for each day.

304 *Third*—For omitting to furnish a man to manage the team, two dollars
 305 (\$2.00) for each day.

306 *Fourth*—For omitting to furnish a wagon, cart or plow, seventy-five cents
 307 (75c) for each day.

308 "Section 101. It shall be the duty of every overseer of highways, within
 309 six days after any person assessed and notified shall be guilty of any refusal
 310 or neglect, for which a penalty or fine is prescribed in this act, unless a sat-
 311 isfactory excuse shall be rendered to him for such refusal or neglect, to
 312 make complaint, on oath, to any justice of the peace of the county: *Provided,*
 313 if the overseers of highways fail to perform their duty, as prescribed in this
 314 section, the commissioners of highways shall have power to perform such
 315 duties'

316 "Section 102. The justice to whom such complaint shall be made shall
 317 forthwith issue a summons, directed to any constable of the county, requir-
 318 ing him to summon such delinquent to appear within five days before such
 319 justice, according to law, for such refusal or neglect.

320 "Section 103. On the day of trial the justice shall proceed to hear and
 321 determine the case according to law, for the offense complained of, and shall
 322 forthwith issue an execution under his hand and seal, directed to any con-
 323 stable of the county where such delinquent shall reside, commanding him
 324 to levy such fine, with the costs of the proceeding, of the goods and chattels
 325 of such delinquent. No personal property shall be exempt from levy of
 326 attachment or execution when the judgment is for commutation of road or
 327 street labor: *Provided,* the court rendering the judgment shall find that the
 328 same is for road or street labor, which finding shall be expressed on the
 329 record of said judgment and indorsed upon the execution when issued.

330 "Section 104. The constable to whom such execution shall be delivered,
 331 shall forthwith collect the moneys therein mentioned. He shall pay the
 332 fine, when collected, to the justice of the peace who issued the execution;
 333 who is hereby required to pay the same to the overseer who entered the com-
 334 plaint, to be by him expended in improving the roads and bridges in the
 335 district of which he is overseer.

336 "Section 105. Every fine collected for refusal or neglect to appear and work
 337 on the highways, shall be set off against his assessments, or personal labor
 338 tax, upon which it was founded, estimating every two dollars collected as a
 339 satisfaction for one day's work.

340 "Section 106. The acceptance by an overseer, of any excuse for refusal or
 341 neglect shall not, in any case, exempt the person excused from commuting for
 342 or working the whole number of days, for which he shall have been assessed
 343 during the year.

344 "Section 107. Every overseer of highways shall give at least three days'
 345 notice to each person residing in his district, against whom a land, railroad
 346 property or personal property road tax is assessed, either personal or in
 347 writing, left at his usual place of abode of the time when and the place where
 348 he may appear and pay his road taxes in labor and with what implements;
 349 and he may require of all persons appearing to pay their taxes in labor to
 350 furnish a spade, shovel, axe or hoe, and if any such person be the owner of a
 351 team, plow, wagon, cart or other implement useful for working the highways,
 352 he may require such person to furnish any of them if his road taxes are not
 353 less than three dollars. And every such person may appear at the time and
 354 place and with such implements and teams as the overseer in his notice shall
 355 have required, and work in person or by an able bodied substitute; and
 356 every such person who shall so appear and work agreeable to the direc-
 357 tions of such overseer of the highways in his district, shall be credited on
 358 his road tax one dollar and twenty-five cents for every day; he shall actually
 359 work eight hours and at that rate for less time, and twenty-five cents a day
 360 for every wagon or plow, and one dollar a day for each yoke of oxen, and
 361 one dollar and twenty-five cents a day for each span of horses or mules he
 362 shall furnish agreeably to the requirements of said overseer: *Provided*, that
 363 any person may elect to pay such tax to the overseer in money: *Provided*,
 364 *further*, if the overseers of highways fail to perform their duty, the commis-
 365 sioners of highways shall have power to perform such duties, or cause the
 366 same to be performed under such rules as they may prescribe.

367 "Section 108. It shall be the duty of the overseer of highways when such
368 land or railroad property tax has been paid, either in money or labor, to
369 write the word "paid" distinctly against each name or tract on his list, on
370 which the same has been paid, and give a receipt for the same, whether paid
371 in labor or money, when demanded.

372 "Section 109. Every overseer of highways shall deliver to the supervisor of
373 his town, and in Cook county to the county board, at least five days previous
374 to the annual meeting of the board of supervisors, the lists furnished by the
375 commissioners of highways, containing the land and personal property road
376 tax, with an affidavit thereto, sworn to before the supervisor of the town, or
377 some justice of the peace of the county, that on all tracts of land or railroad
378 property on such list, opposite which the word "paid" is written, such tax is
379 paid, and that on all tracts of land or railroad property on such list, opposite
380 which the word "paid" is not written, such tax is due and remains unpaid, ac-
381 cording to the best of his knowledge and belief.

382 "Section 110. If any overseer shall refuse or neglect to deliver such list to
383 the supervisors, as provided in the last preceding section, or shall neglect or
384 refuse to make the affidavit, as therein directed, he shall, for every such
385 offense, forfeit the sum of five dollars, and also the amount of taxes remain-
386 ing unpaid, to be recovered by the commissioners of highways of the town, to
387 be applied by them in improving the roads and bridges of such town.

388 "Section 111. It shall be the duty of every overseer of highways to have
389 at least three-fourths of the road labor assessed in his district, worked out
390 or actually expended on the highways, previous to the first day of September
391 in every year.

392 "Section 112. Every overseer of highways shall, on the second Tuesday
393 next preceding the time of holding the annual town meeting in his town,
394 within the year for which he is elected or appointed, render, under oath, to
395 one of the commissioners of highways of the town, an account in writing
396 containing:

397 *First*—The names of all persons assessed to work on the highways in the
398 district to which he is overseer.

399 *Second*—The names of all those who have actually worked on the highways,
400 with the number of days they have actually worked.

401 *Third*—The names of all those who have been fined, and the sums in which
402 they have been fined.

403 *Fourth*—The names of all those who have commuted, and the manner in
404 which the moneys arising from fines and commutations have been expended
405 by him.

406 *Fifth*—The amount of uncollected road tax which he has returned to the
407 supervisors of the town, as required in section forty-three of this act.

408 "Section 113. Every such overseer shall also, then and there, render an
409 account, in writing, of all moneys in his hands by virtue of his office, and
410 shall also pay over the same to his successor in office.

411 "Section 114. If any overseer shall refuse or neglect to render such account,
412 or if, having rendered the same, he shall refuse or neglect to pay any balance
413 which may then be due from him, he shall, for every such offense, forfeit the sum
414 of five dollars, to be recovered, with the balance of the moneys remaining in
415 his hands, by the commissioners of highways of the town, and to be applied in
416 making and improving the roads and bridges. It shall be the duty of the
417 commissioners to prosecute for such penalty, in every instance of such refusal
418 or neglect.

419 "Section 115. It shall be the duty of the supervisors of the several towns
420 to receive the list of the overseers of highways when delivered, pursuant
421 to section forty-three of this act, and to lay the same before the board of
422 supervisors of the county.

423 "Section 116. It shall be the duty of the board of supervisors, and in
424 Cook county the county board, to cause the amount of arrearages of the
425 road tax returned by the overseer of highways to the supervisors, as pro-
426 vided in section forty-three of this act, to be levied on the lands returned,
427 and to be collected in the same manner that other taxes of the county are
428 levied and collected, and to order the same, when collected, to be paid over
429 to the commissioners of highways of the town, except such portion of such
430 tax as is hereinbefore directed to be paid to the authorities of incorporated

431 villages, towns and cities, to be by them applied to the construction of roads
432 and bridges.

433 "Section 117. Each and every overseer of highways shall be entitled to
434 one dollar and twenty-five (\$1.25) cents per day for every day he is neces-
435 sarily employed in the execution of the duties of overseer, exceeding the
436 amount of his highway labor and road tax, the number of days to be ac-
437 counted to and audited by the commissioners of highways: *Provided*, that
438 the number of days to be audited shall be left discretionary with the com-
439 missioners of highways.

440 "Section 118. The highway commissioners of each town shall, annually,
441 ascertain, as near as practicable, how much money must be raised by tax on
442 real, personal and railroad property, for the making and repairing of bridges,
443 the payment of damages by reason of the opening, altering, and laying out
444 of new roads and ditches, the purchase of the necessary tools, implements
445 and machinery for working roads, the purchase of the necessary material for
446 building or repairing or draining roads and bridges, the pay of the over-
447 seers of highways during the ensuing year, and for the payment of all out-
448 standing orders drawn by the commissioners on their treasurer, commenc-
449 ing on Tuesday next preceding the annual meeting of the county board in
450 September, which tax shall be extended on the tax books, according to the
451 assessment of the current year; and shall levy a tax on all the real, personal
452 and railroad property in said town, not exceeding forty cents on the one hun-
453 dred dollars; and they shall give to the supervisor of the township, and in
454 Cook county to the county board, a statement of the amount necessary to be
455 raised, and the rate per cent. of taxation, signed by said commissioners, or a
456 majority of them, on or before the Tuesday next preceding the annual Septem-
457 ber meeting of the board of supervisors, or the county board of Cook county,
458 who shall cause the same to be submitted to said board for their action at
459 such September meeting of said board. *Provided*, that if the commissioners of
460 highways, or any three legal voters, shall give notice, by posting notices in at
461 least three of the most public places of the town, at least ten days before the

462 annual town meeting, that a larger amount of money will be required for the
 463 purpose of constructing or repairing roads or bridges in their town, than can
 464 be realized from the real, personal and railroad property tax, authorized by
 465 law, to be assessed by the commissioners, the legal voters present at such meet-
 466 ing may authorize an additional amount to be raised by tax, not exceeding
 467 forty cents on each one hundred dollars valuation, and said board shall
 468 cause the same to be extended on the tax books.

469 "Section 119. The town clerk of each town shall, on or before the first
 470 day of September next, and annually thereafter (if the boundary line be
 471 changed), furnish to the county clerk a certified plat of the several road
 472 districts of his town.

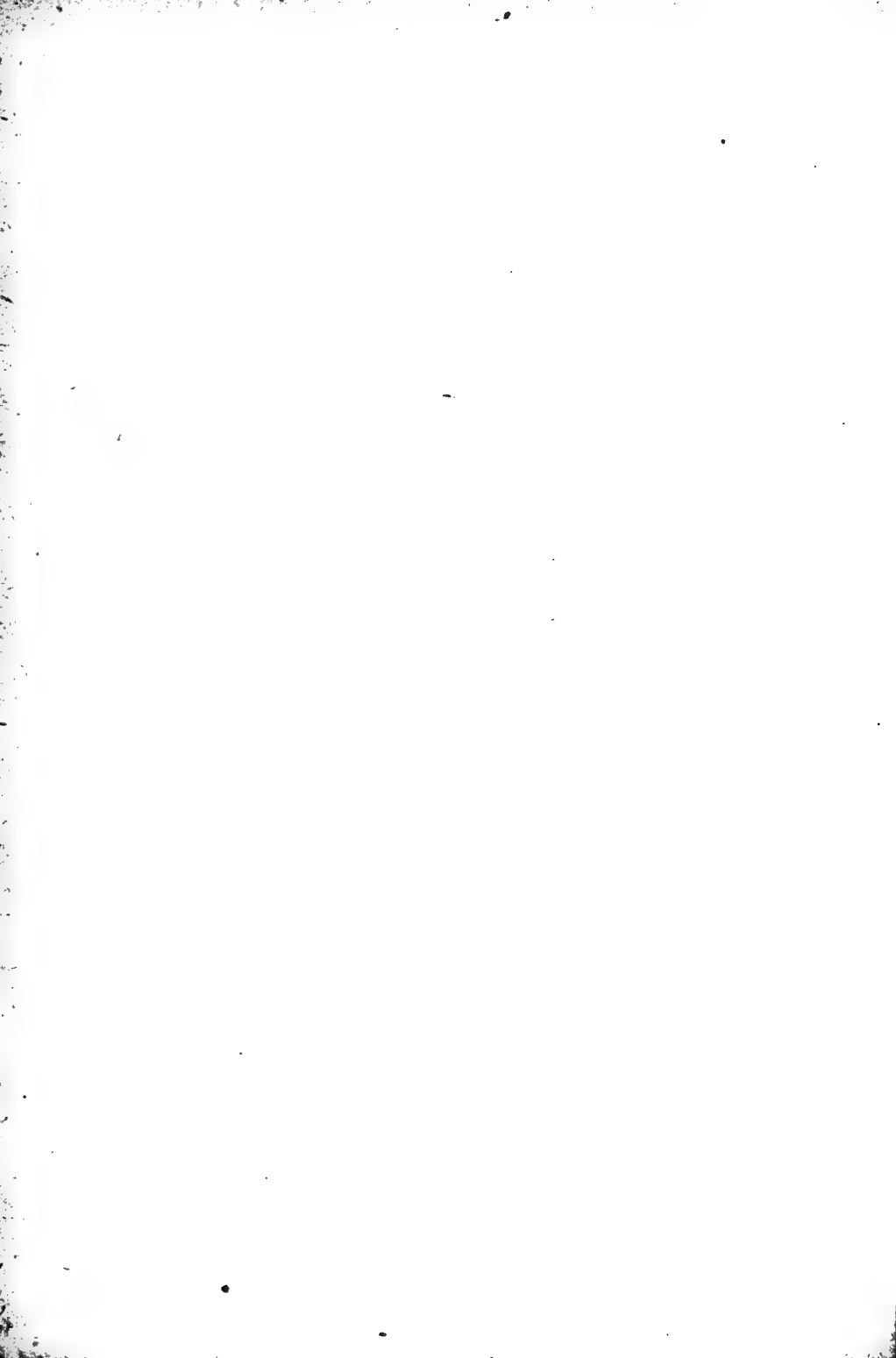
473 "Section 120. In all counties acting under township organization, the county
 474 clerk, in extending district road tax upon the tax books, shall designate to
 475 what district said tax belongs.

476 "Section 121. It shall be the duty of county and township collectors to
 477 make out an abstract of the amount of district road tax due to each district
 478 of the respective townships, and deliver the same to the treasurer of the
 479 commissioners of highways.

480 "Section 122. The treasurer of the commissioners of highways shall pay
 481 over the district road tax according to the abstracts as furnished above,
 482 upon the written orders of the various overseers of roads for work done in
 483 their respective districts, when said orders are approved, in writing, by a
 484 majority of said commissioners.

485 "Section 123. That an act entitled "An act in regard to roads and bridges
 486 in counties under township organization," approved May 28, 1879, in force
 487 July 1, 1879, and all other acts or parts of acts inconsistent herewith, be and
 488 the same are hereby repealed: *Provided*, that the repeal of said act shall
 489 not affect any suit or proceedings pending, or impair any right existing at
 490 the time this act shall take effect: *And, provided, also*, that the overseers of
 491 highways in office, when this act takes effect, shall continue in office till the
 492 expiration of their terms, and the road tax and road labor then due shall

493 not be released from its obligations, and the delinquent list shall be duly
494 returned, and collected as now provided, the avails of which shall be paid
495 to the treasurer of the commissioners."



1. Reported to House April 6, 1883.
2. First reading April 7, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with committee amendments, passage recommended, report concurred in, and ordered to second reading May 2, 1883.
4. Second reading May 23, 1883, and ordered to third reading as amended.

A BILL

For An Act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That all roads in this State which have been laid out in
3 pursuance of any law of this State, or of the territory of Illinois, or which
4 have been established by dedication or used by the public as a highway
5 for twenty years, and which have not been vacated in pursuance of law,
6 are hereby declared to be public highways.

§ 2. The commissioners of highways shall have charge of the roads and
2 bridges of their respective towns, and it shall be their duty to keep the same in
3 repair and to improve them so far as practicable. Whenever the available
4 means at their disposal will permit, they shall construct permanent roads, begin-
5 ning where most needed. The work on roads shall be done timely and in ac-
6 cordance with the best known methods of road-making, by proper grading
7 and thorough drainage by tile or otherwise, as may be expedient, or by the
8 application of gravel, rock, or other material.

§ 3. In order to insure efficiency, they may employ a general superintendent
2 outside their own body to work and to execute their orders; or they may divide
3 the work, let contracts, appoint overseers, employ laborers or such other agencies
4 as they may deem expedient and most to the interest of the town.

§ 4 In letting contracts, employing labor, or in purchasing tools, machinery or materials, the commissioners shall not have directly or indirectly any personal pecuniary interest in connection therewith. "The commissioners shall not have power to let any contract, purchase tools, machinery or materials, except as ordered by the board at an authorized meeting."

§ 5. Their duties shall include:

1. To lay out, alter, widen or vacate roads as hereinafter provided, and to exercise such care and superintendence over roads and bridges as the public good may require.

2. To cause such roads used as highways as have been laid out or dedicated to public use, but not sufficiently described, and such as have been used for twenty years, but not recorded, to be ascertained, described and entered of record in the town clerk's office.

3. To purchase for use upon highways such necessary tools, implements and machinery as they may think proper.

4. To take possession of and keep under shelter, when not in use, all scrapers, plows and other tools belonging to their towns wherever the same may be found, and not allow the same to go to waste, and not lend the same except to persons employed by them to work the roads by contract or otherwise.

5. To cause to be erected and kept in repair at the forks or crossing place of the most important public roads, a post and guide board, with plain inscription thereon, in letters and figures, giving directions and distances to the most noted places to which such road may lead; to prevent thistles, burdock, cockle-burs, mustard, yellow-dock, Indian mallow and gympson weed from seeding, and to extirpate the same so far as practicable; and to prevent all rank growth of vegetation in the public highway by causing the same to be cut and destroyed prior to the seeding of the same and at the farthest prior to September 1, in each and every year; and the said commissioners may, at their discretion, adopt any suitable and convenient mode of supplying water in troughs conveniently situated on the public highway for public use.

6 It is hereby made unlawful, and the commissioners are hereby required

28 to prevent any one, at any time, from plowing in the public highways for
29 any purpose, unless by the consent of at least two of the commissioners.

§ 6. Whenever the commissioners are about to lay a tile drain along a public
2 road they shall have power to contract with the owners or occupants of
3 adjoining lands to lay larger tile than would be necessary to drain the road,
4 and to permit connection therewith by such contracting parties to drain
5 their lands.

§ 7. Where willow hedges, or a line of willow or cottonwood trees have been
2 planted along the margin of the road, so as to render tiling impracticable, the
3 commissioners may contract with the owner for their destruction, and they shall
4 be destroyed before tiling; the planting of these trees hereafter on the margin
5 of roads is hereby declared a public nuisance, unless the same are planted by
6 the consent of the commissioners.

§ 8 The commissioners of highways of the several towns are hereby
2 authorized to enter upon any land adjacent to any highway in their town
3 for the purpose of opening any ditch, drain, necessary sluice or water-course
4 whenever it shall be necessary to open a water-course from any highway to
5 the natural water-courses, and to dig, open and clean ditches upon said land
6 for the purpose of carrying off the water from said highways, or to drain
7 any slough or pond on said highway: *Provided*, that unless the owner of
8 such land, or his agent, shall first consent to the cutting of such ditches, the
9 commissioners shall apply to any justice of the peace in the county in which
10 such road is situated, for a summons directed to any constable of said county,
11 commanding him to summon the said owner to appear before the said
12 justice, at a time and place specified in such summons, not less than five nor
13 more than fifteen days from the date thereof, for the purpose of having the
14 damage assessed, which such owner may sustain by reason of the digging or
15 opening of such ditches or drains. The said summons shall be under the
16 hand of the said justice, and be served in the same manner as a summons
17 is now served in civil actions before justices of the peace. On the return of
18 such summons, ~~venue~~ shall be issued for a jury of twelve persons, who shall
19 be summoned, and whose competency shall be determined as in other cases

20 in the trial of civil actions before justices of the peace; which jury shall
 21 assess such damages and render a verdict therefor, which shall be final and
 22 conclusive of the amount of damages sustained by such person, and the
 23 amount so awarded shall be paid before the commissioners of highways
 24 shall be warranted and empowered to enter such lands, and dig, open and
 25 clean such drains, ditches and water-courses, as aforesaid, for the purposes
 26 contemplated in this act; and the commissioners of highways are further
 27 authorized to use and employ the road and bridge money of their town for
 28 such purposes: *Provided*, that in case the owner of said lands is a non resident,
 29 service may be had by leaving a copy with the occupant or agent, or by
 30 notice in the same manner as prescribed in section (44) of this act.

§ 9. In grading roads, wherever practicable, it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and the space between these points shall be made a regular oval
 4 grade, so that the entire space can be used for traveling purposes,
 5 and it shall be unlawful to ride or drive on such walk; and any person so
 6 offending shall be subject to a fine of one dollar for each offense. Grading
 7 shall be done before the first of September in each year. Corner stones marking
 8 sectional or other corners, shall not be disturbed, except to so grade the road
 9 that these, if in the line of travel, shall not rise above the surface, and
 10 corner stakes shall be replaced by good and substantial stones. In grading
 11 public roads if a ditch is made at the junction of roads, or at the entrance
 12 of gates or other openings of adjoining premises, the road authorities
 13 shall construct good and sufficient culverts, or other convenient crossings.

§ 10. The commissioners of each town shall meet on the second
 2 Tuesday after the annual town meeting in each year, at the town clerk's
 3 office, and shall organize as a board by electing one of their number presi-
 4 dent, and one of their number treasurer, and the town clerk shall be *ex*
 5 *officio* clerk of said board, and shall keep a record of all the official acts and
 6 proceedings of the board in a well bound book, to be provided for that
 7 purpose, which record shall be signed by the president and clerk. Said

8 board shall hold regular meetings at such times as they shall designate,
 9 and special meetings as occasion may require, at the call of the president
 10 or any two of the commissioners, and no official business shall be transacted
 11 by the board, except at a regular or special meeting. If the president or
 12 town clerk be absent from a meeting, or refuse to perform his official duties,
 13 a president or clerk *pro tempore* shall be appointed from their own number.
 14 The treasurer so chosen shall receive and have charge of all moneys raised
 15 in the town for the support and maintenance of roads and bridges, except-
 16 ing such portions of the moneys as are hereinafter directed to be paid to the
 17 authorities of incorporated villages, towns and cities. He shall hold such
 18 moneys at all times subject to the order of the commissions of highways, and
 19 shall pay them over upon their order, or a majority of said commissioners, and
 20 not otherwise. Before the person so chosen as treasurer shall be entitled to
 21 act as such, and within ten days after his appointment, he shall execute a
 22 good and sufficient bond in double the amount liable to come into his hands,
 23 with two or more landholders as surities, in such amount and in such manner
 24 as the supervisor and town clerk shall determine, conditioned for the faithful
 25 discharge of his duties as such treasurer, and that he will honestly and faith-
 26 fully account for and pay over, upon the order of the commissioners, all
 27 moneys that shall come to his hands by virtue of his said office; which bond
 28 shall be payable to the supervisor of the town and his successor in office, and
 29 be approved by the supervisor and town clerk, and filed in the town clerk's
 30 office; such treasurer shall receive such compensation, for such services as
 31 treasurer, as may be fixed by the commissioners, not to exceed two per cent. of
 32 the amount of money that comes into his hands, excepting such amount as he
 33 receives from his predecessor, or such amount as may be borrowed for the
 34 use of the town, and he shall keep an account in a book provided by the
 35 commissioners, of all moneys received and all moneys payed out, showing in
 36 detail to whom and on what account the same is so paid. The town clerk
 37 shall, immediately upon the filing of said bond, notify the county treasurer
 38 thereof by a certificate under his hand and seal.

§ 11. At this meeting they shall make out a list of able-bodied men in

2 their town between the ages of twenty-one and fifty years, and deliver the
 3 same to their treasurer on or before the first day of May, in each year,
 4 and assess at such meeting against each person upon such list the sum of not
 5 less than one, nor more than two dollars, as a poll-tax for highway pur-
 6 poses, to be paid to such treasurer by the first Monday in June, of each year:
 7 *Provided*, that paupers, idiots, lunatics and such others as are exempt by law,
 8 shall not be compelled to pay a poll-tax for highway purposes: *Provided, also*,
 9 that this list shall not include persons within the limits of cities or incorporated
 10 villages. They shall, within ten days after such list is delivered to their treas-
 11 urer, cause written or printed notices to be given to each person so assessed, noti-
 12 fying him of the time when, and place where such tax must be paid, and if this
 13 poll-tax shall not be paid, by the first Monday of June, in such year, it shall be
 14 the duty of the commissioners, in the name of the town, to bring suit
 15 therefor against such person before some justice of the peace having
 16 jurisdiction thereof; summons shall be issued and returned in the same
 17 manner as provided by law in other cases. If judgment is rendered against
 18 defendant, the court shall find in such judgment that the same is for poll-tax
 19 unpaid, and shall endorse the same on the execution, if one is issued. No prop-
 20 erty belonging to the defendant shall be exempt from levy to satisfy such
 21 execution.

§ 12. The constable to whom such execution shall be delivered, shall
 2 forthwith collect the moneys therein mentioned. He shall pay the money
 3 so collected, when collected, to the justice of the peace who issued the execu-
 4 tion, who is hereby required to pay the same to the treasurer of the road and
 5 bridge fund.

§ 13. The commissioners shall also meet semi-annually on the same day and
 2 at the same place of meeting of board of town auditors. At the meeting
 3 immediately preceding the annual meeting of the county board, the commis-
 4 sioners shall determine what per cent. of tax shall be levied on the property
 5 of the town for road and bridge purposes, and for the payment of any out-
 6 standing orders drawn by them on their treasurer, which levy shall not ex-
 7 ceed sixty cents on each one hundred dollars.

§ 14. If, in the opinion of the commissioners, a greater levy is needed in view of some contingency, they may certify the same to the board of town auditors and the assessor, a majority of whom shall be a quorum, and with the consent of a majority of this entire board, given in writing, an additional levy may be made of any sum not exceeding forty cents on the one hundred dollars of the taxable property of the town.

§ 15. When damages have been agreed upon, allowed or awarded for laying out, widening, altering or vacating roads, or for ditching to drain roads, the amounts of such damages not to exceed, for any one year, twenty cents on each one hundred dollars of the taxable property of the town, shall be included in the first succeeding tax levy, provided for in section 13. of this act, and be in addition to the levy for road and bridge purposes; and when collected shall constitute and be held by the treasurer of the commissioners as a separate fund to be paid out to the parties entitled to receive the same.

§ 16. The commissioners at said semi-annual meeting shall make a certificate of the rate percentum finally agreed upon, by virtue of sections 13 and 14, of this act. Also the amount to liquidate road and ditch damages, not to exceed for any one year twenty cents on each one hundred dollars of the taxable property of the town, and shall cause such certificate to be delivered to the town clerk, to be kept by him on file for the inspection of the inhabitants of said town, and the town clerk shall at once certify these two items of levy to the county clerk, to be by him extended as one tax upon the collector's book of said town to be collected as other taxes, and when collected shall be paid to the treasurer of the commissioners by the collector, as fast as the same is collected, except such rate per cent. as shall be allowed for collecting the same: *Provided*, that one-half the tax provided to be levied in section 13 of this act, and collected for road and bridge purposes on the property lying within an incorporated village, town or city, in which the streets and alleys are under the care of the corporation shall be paid over to the treasurer of such village, town or city, to be appropriated to the improvement of roads, streets and bridges, either within or without said village, town or city, and within the town under the direction of the corpor-

19 ate authorities of said village, town or city: *Provided, further,* that when any
 20 of said tax is expended beyond the limits of said village, town or city, it shall
 21 be with the consent of the commissioners of the town.

§ 17. Whenever damages have been allowed for roads or ditches the com-
 2 missioners may draw orders, on their treasurer, payable only out
 3 of the tax to be levied for such roads or ditches, when the money shall be
 4 collected or received to be given to persons damaged.

§ 18. At the semi-annual meeting immediately preceding the annual town
 2 meeting, the commissioners shall meet, and report to the board of town auditors
 3 in writing:

4 1. The amount of poll-tax assessed, how much paid, and how much de-
 5 linquent.

6 2. The amount of road and bridge money received by the town, and a full
 7 and detailed statement as to how and where expended, and the balance, if
 8 any, unexpended.

9 3. The amount raised for damages in laying out, altering, widening or
 10 vacating roads, and right of way for ditches.

11 4. The amount of liabilities incurred and not paid; and if such liabilities are
 12 undetermined, they shall be estimated.

13 5. Any additional matter concerning the roads and bridges of the town
 14 they may think expedient and proper to make.

§ 19. When it is necessary to construct or repair any bridge over a stream,
 2 or any approach or approaches thereto by means of an embankment or trestle-
 3 work on a public road in any town, or on, or near to, or across a town line, in
 4 which work the town is wholly or in part responsible, and the cost of which will
 5 be more than twenty cents on the one hundred dollars on the latest assessment
 6 roll, and the levy of the road and bridge tax for that year in said town was for
 7 the full amount of sixty cents on each one hundred dollars, allowed by law for
 8 the commissioners to raise, the major part of which is needed for the ordinary
 9 repair of roads and bridges, the commissioners may petition the county board
 10 for aid; and if the foregoing facts shall appear, the county board shall
 11 appropriate from the county treasury a sum sufficient to meet one-half the

12 expenses of the said bridge or other work, on condition that the town
 13 asking aid shall furnish the other half of the required amount. The expend-
 14 iture of these joint funds shall be made by the commissioners, and two per-
 15 sons appointed by the board of supervisors, and any surplus funds appropri-
 16 ated by the county board, after the completion of the work, shall be paid
 17 into, or lapse into the county treasury: *Provided, however,* that before any
 18 bridge or approaches as contemplated as above, shall be constructed or
 19 repaired, under the provisions of this section, the commissioners shall make a
 20 careful estimate of the probable cost of the same, and attach thereto their
 21 affidavits that the same is necessary, and will not be made more expen-
 22 sive than is needed for the purpose desired; and such estimate and affidavit
 23 shall be filed with the petition: *Provided,* that in case of some emergency
 24 arising from the sudden destruction or serious damage to a bridge or its
 25 approaches, when delay in repairing or rebuilding would be detrimental to
 26 the public interest, such petition to the county board may be presented dur-
 27 ing the progress of the work or after its completion, and if the facts appear
 28 as contemplated by this section, then the county board shall appropriate one
 29 half of such cost with like conditions that the town pay the other half.

§ 90. When the commissioners desire to expend on any bridge or other dis-
 2 tinct and expensive work on the road, a greater sum of money than is availa-
 3 ble to them by other means, the said commissioners may petition the supervisor
 4 of the town to call a special town meeting to vote on the proposition, which
 5 shall be clearly stated in the petition substantially as follows: "To borrow
 6 \$ ——— to construct or repair, [describe the bridge or other work]," which
 7 said petition shall be signed by said commissioners in their official capacity
 8 and by at least twenty-five freeholders of such town; and thereupon such
 9 petition shall be filed in the office of the town clerk of such town. Upon the
 10 filing of said petition, the supervisor shall order the town clerk, by an instru-
 11 ment in writing to be signed by him, to post up in ten of the most public
 12 places in said town, notices of such special town meeting; which notice shall
 13 state the object, time and place of meeting, the maximum sum to be borrowed,
 14 and the manner in which the voting is to be had, which shall invariably be

15 by ballot, and shall be "For borrowing money to [here define the purpose]" or
 16 "Against borrowing money [here define the purpose]." The special town
 17 meeting shall be held at the place of the last annual town meeting, by giving
 18 at least ten days' notice, and returns thereof made in the same manner as other
 19 special town meetings are now or may hereafter be provided by law; and if
 20 it shall appear that a majority of the legal voters voting at said election shall
 21 be in favor of said proposition, the supervisor and town clerk, acting under
 22 the direction of the commissioners of said town, shall issue from time to
 23 time, as the work progresses, a sufficient amount in the aggregate of the
 24 bonds of said town for the purpose of building such bridge, or other distinct
 25 and expensive work; said bonds to be of such denominations, bear such rate
 26 of interest, not exceeding six per cent., upon such time, and be disposed of
 27 as the necessities and conveniences of said town officers require: *Provided*,
 28 that said bonds shall not be sold or disposed of for less than their par value,
 29 and such town shall provide for the payment of such bonds and the interest
 30 thereon by appropriate taxation.

§ 21. Bridges over streams which divide towns or counties, and bridges
 3 over streams on roads on county or town lines, shall be built and repaired at
 3 the expense of such towns or counties: *Provided*, that for the building and
 4 maintaining of bridges over streams near county or town lines, in which both
 5 are interested, the expense of building and maintaining any such bridges shall
 6 be borne by both counties or towns in such portion as shall be just and equit-
 7 able between said towns or counties, taking into consideration the taxable prop-
 8 erty in each, the location of the bridge and the advantage of each to be deter-
 9 mined by the commissioners in making contracts for the same as provided for
 10 in section 22, of this act.

§ 22. For the purpose of building or keeping in repair such bridge or bridges,
 2 it shall be lawful for the commissioners of such adjoining towns, whether they
 3 be in the same or different counties, or county boards of such adjoining coun-
 4 ties to enter into joint contracts, and such contracts may be enforced in law or
 5 equity, against such commissioners jointly, the same as if entered into by indi-
 6 viduals, and such commissioners or county boards may be proceeded against

7 jointly, by any parties interested in such bridge or bridges, for any neglect
18 of duty in reference to such bridge or bridges, or for any damage growing out
9 of such neglect.

§ 23. Whenever the commissioners of either of such adjoining towns shall
2 refuse to enter into such joint contracts to build and maintain such bridge or
3 bridges, the commissioners of the other town may call a special town meeting
4 to vote upon the proposition as to whether such town shall proceed to build
5 and maintain such bridge or bridges at its own expense. If such proposed
6 bridge shall require a greater sum of money to complete it than is available to
7 the commissioners by other means, they may also submit the proposition to such
8 special town meeting to borrow money to build such bridge. The voting shall
9 be by ballot, and if simply the question as to the building of the bridge is sub-
10 mitted, if the voter desires to vote for building the bridge, his ballot shall state
11 "to build bridge," and if he desires to vote against the proposition, his ballot
12 shall state "against the proposition to build bridge." If the proposition to
13 borrow money to build such bridge shall be included in the notice, the maxi-
14 mum amount to be borrowed shall be stated in the same, and the voter desiring
15 to vote affirmatively shall state on his ballot "to build bridge and to borrow
16 money to construct the same;" and if he desires to vote negatively, his ballot
17 shall state "against the proposition to build bridge and to borrow money to
18 construct the same." Such special town meeting shall be called and held in the
19 same manner which is provided for special town meetings in section 30, of this
20 act. If the proposition to build such bridge shall receive a majority of all the
21 votes cast at such election, the commissioners shall then have the power to con-
22 tract for the building of such bridge and approaches thereto the same as if the
23 bridge was entirely located in such town, and shall have the power to acquire
24 by purchase, lease or gift, any private bridge already built, suited to their pur-
25 pose, or any land upon which to build the approaches, or may use for the pur-
26 pose of such approaches any public highway that may lead to the bank of the
27 stream where said bridge is to be built on either side of said stream, whether
28 such highway may be within the limits of said town or county or not. If the
29 proposition to build such bridge and borrow money to build the same shall

30 receive a majority of the votes cast at such special town meeting, the supervisor
 31 and town clerk, under the direction of the commissioners, shall issue from
 32 time to time, as the work progresses, a sufficient amount in the aggregate of
 33 the bonds of said town for the purpose of building such bridge and the
 34 approaches thereto, or to purchase any private bridge already built, as the case
 35 may be; said bonds to be of such denominations, bear such rate of interest, not
 36 exceeding eight per cent. upon such time, and be disposed of as the necessities
 37 and conveniences of said commissioners may require. Such bonds shall not be
 38 sold for less than their par value, and such town shall provide for the payment
 39 of such bonds and interest by appropriate taxation.

§ 24. If the commissioners of either of such towns or county boards of
 2 such counties after reasonable notice in writing from the commissioners of
 any other such towns or county boards of such counties, shall neglect or refuse
 4 to build or repair any such bridge when any contract or agreement has been
 5 made in regard to the same, it shall be lawful for the commissioners or county
 6 board so giving notice to build or repair the same to recover, by suit, one-half
 7 (or such amount as shall have been agreed upon) of the expense of so build-
 8 ing or repairing such bridge, with costs of suit and interest from the time of
 9 the completion thereof, from the commissioners or county board so neglecting
 10 or refusing.

§ 25. The commissioners are hereby authorized to contract for the construc-
 2 tion and repairing of roads and bridges, but when such contracts are for a
 3 sum exceeding \$75.00, they shall give at least ten days' notice of time and place
 4 of letting such contract by posting notices in at least ten public places in and
 5 contiguous to the town, describing the work and time of completion: *Provided*
 6 in case where bridges have been suddenly destroyed on any important high-
 7 way, then such commissioners may privately contract for replacing such
 8 bridge to an amount not exceeding \$150.

§ 26. Contracts for constructing and repairing roads and bridges on town
 2 lines, or across streams on town lines shall be let by the commissioners of
 3 the two towns, who shall meet and act as one body when taking action upon
 4 the letting of such contracts for the construction or repair of such roads

5 and bridges, or acceptance of the work when such contracts are for the
6 expenditure of a sum exceeding \$100, they shall advertise for bids in the
7 same manner as provided in the preceding section, except that the notices
8 shall be posted in and contiguous to the two towns.

§ 27. At such public letting, as provided for in the two preceding sections,
2 the commissioners shall have the right to reject any and all bids if they deem it
3 to the best interests of the town, and no contract shall be considered as let unless
4 the contractor shall, within ten days after the letting, enter into contract and
5 file a bond with two good and sufficient sureties with the commissioners, in the
6 penal sum of double the amount of the contract, payable to the
7 commissioners of the town, upon failure to comply with the conditions of his or
8 their contract.

§ 28. All contracts for the construction or repair of roads, or building or re-
2 pairing bridges, shall be made payable as soon as the work on said contract
3 is completed and accepted by the commissioners.

§ 29. The commissioners of highways may, when they shall deem it advisa-
2 ble, put up and maintain in conspicuous places, at each end of any bridge, a
3 notice with the following words in large characters, "Five dollars fine for
4 riding or driving on this bridge faster than a walk." If any person shall ride
5 or drive faster than a walk over any bridge upon which such notice has been
6 placed, he shall forfeit to the town in which such bridge is located five dollars
7 for each offense.

LAYING OUT ROADS.

§ 30. All public roads established under the provisions of this act, shall be
2 of the width of sixty feet: *Provided*, that roads, not exceeding two miles in
3 length, may be of a width not less than forty feet nor more than sixty feet,
4 and roads called public and private, may be of the width as in this act
5 provided. All public roads laid out as herein provided shall be opened within
6 two years from the time of laying out the same. If not opened within the time
7 aforesaid, the same shall be deemed to be vacated.

§ 31. The commissioners may alter, widen or vacate any road, or lay out
2 any new road in their respective towns when petitioned by any number of lan-

3 owners, not less than twelve, or two-thirds of the land owners residing in such
 4 town within two miles of the road so to be altered, widened, vacated
 5 or laid out: *Provided*, said commissioners may also narrow or reduce the
 6 width of the streets, in town plats not incorporated so as to leave the same
 7 not less than sixty feet in width on petition and under like proceedings as
 8 herein provided in case of laying out, altering, widening or vacating roads.

§ 32. Said petition shall set forth in writing, a description of the road, and
 2 what part thereof is to be altered, widened or vacated, and if for a new road,
 3 the names of the owners of lands, if known, and if not known it shall be so
 4 stated, over which the road is to pass, the points at or near which it is to
 5 commence, its general course, and the place at or near where it is to termi-
 6 nate

§ 33. Whenever the commissioners shall receive any such petition, they shall
 2 fix upon a time when and place where they will meet to examine the route of
 3 such road, and to hear reasons for or against the altering, widening, vacating
 4 or laying out the same; and they shall give at least ten days' notice of the time
 5 and place of such meeting, by posting up notices in five of the most public
 6 places in the township in the vicinity of the road to be widened, altered,
 7 vacated or laid out.

§ 34. The commissioners may, by public announcement, and by the posting
 2 of a notice at the time and place named for the first meeting, adjourn the
 3 meeting from time to time, but not for a longer period than ten days in all;
 4 and shall, at the first or such adjourned meeting, within said ten days, de-
 5 cide and publicly announce whether they will grant or refuse the prayer of
 6 the petition, and shall indorse upon or annex to the petition a brief memor-
 7 andum of such decision, to be signed by the commissioners. Such decision
 8 shall be subject to revocation, in case the prayer of the petition is granted, in
 9 the manner hereinafter provided. In case the commissioners refuse to grant
 10 the prayer of the petition, they shall within five days thereafter, file the same,
 11 so indorsed or with such decision annexed thereto, in the office of the town
 12 clerk.

§ 35. If the petition is simply for the vacation of a road, and the commissioners, or a majority of them, shall, at such meeting decide that the prayer of the petitioners should be granted, they shall order such road to be vacated,—a copy of which order, together with the petition, shall be by them filed with the town clerk; such order to be so filed within five days after the date of such decision.

§ 36. If such petition is for the establishment of a new road, or the alteration or widening of an existing road, and the commissioners, or a majority of them, shall be of the opinion that the prayer of the petitioners should be granted, they shall cause a survey and plat of such road to be made by a competent surveyor, who shall report such survey and plat to said commissioners, giving the courses and distances, and specifying the land over which said road is to pass—in which they may make such changes between the termini of the road described in the petition as the convenience and interest of the public, in their judgment, may require.

§ 37. Upon the petition of twelve land owners residing in the town where the road is situated, it shall be the duty of the commissioners, within a reasonable time, to employ a competent surveyor and have any road designated in such petition in their several towns re-surveyed, and plats thereof made which plats and surveys shall be by them filed for record in the office of the town clerk: *Provided*, that this section shall not apply where the same has been already done, unless the exact location of such road is uncertain.

§ 38. The establishment of a new road on the route of a road already established according to law, shall not vacate the road previously established, unless such vacation is prayed for in the petition, and so declared in the order establishing a new road.

§ 39. They shall also, before they order any road to be established, altered, widened or vacated, ascertain as hereinafter provided, the aggregate amount of damages which the owner or owners of land over which the road is to pass shall be entitled to, by reason of the location, alteration or vacation of such road. *Provided, however*, that in case an appeal is taken from the assessment of damages before the justice of the peace, the

7 commissioners may, in their discretion, make an order laying out, widening
8 altering or vacating such road, either before or after such appeal is determined,
9 in the manner hereinafter provided.

§ 40. The damages sustained by the owner or owners of the land, by
2 reason of the establishment, alteration, widening or vacation of any road, may
3 be agreed upon by the owners of such lands, if competent to contract, and
4 the commissioners, or they may be released by such owners—in which case
5 the agreement or release shall be in writing, and shall be filed and recorded
6 with the copy of the order establishing, altering, widening or vacating such
7 road, in the town clerk's office, and shall be a perpetual bar against such
8 owners, their grantees and assigns, for all further claims for such damages.

§ 41. In case such damages are not released or agreed upon as in the pre-
2 ceding section specified, the commissioners shall, within ten days from the
3 date of the meeting at which it was decided to grant the prayer of the petition,
4 make a certificate that they are about to establish, widen, vacate or alter a
5 public road, describing such road, vacation, widening or alteration, and the
6 land over or on which such road is to be established, altered widened or
7 vacated, and naming the owners of such lands, if known, and if not known
8 stating the fact, and asking for a jury to assess the damages of such owners,
9 and shall present such certificate to some justice of the peace of the county,
10 who on receipt of the same shall within five days issue a summons against
11 the land owners concerned, which summons shall be in the following form
12 as nearly as the case will admit, viz:

13 STATE OF ILLINOIS, }
14 COUNTY: }

15 The People of the State of Illinois, to any constable of said county,
16 greeting:

17 You are hereby commanded to summon and to appear before
18 me at on the day of ... at .. o'clock, and prove to a jury then and
19 there to be empannelled, such damages as he or they may sustain on a count
20 of the establishing, altering, widening or vacating the road described in a

21 certificate of the commissioners of the town of in said county, which
 22 certificate is now on file in my office.

23 Given under my hand and seal this day of, 18...

24 Justice of the Peace.

25 in which summons the justice shall specify a certain place, day and hour for
 26 the trial, not less than six nor more than fifteen days from the date of such
 27 summons, at which time and place such land owners are to appear. Such
 28 summons shall be served at least three days before the time of trial
 29 mentioned therein, by reading the same to the land owners therein named.

§ 42. If any such owner is an infant, such summons shall be served by
 2 delivering a copy to the infant, and its guardian, if any; if no guardian, the
 3 person with whom he or she resides. If any owner is a lunatic or habitual
 4 drunkard, having a conservator, by delivering a copy to his conservator.

§ 43. In case it shall appear, either from the certificate of commissioners,
 2 the affidavit of any person, or the return of any officer to whom the notice
 3 may be delivered for service, that there are non-resident or unknown owner
 4 or owners, who cannot be found and served within the county, such justice
 5 shall also cause notice to be delivered to the occupant of such lands, and the
 6 contents and nature thereof to be made known to such occupant, and also
 7 to be posted in three of the most public places in the vicinity of such pro-
 8 posed road or alteration, at least ten days before the time fixed in the
 9 summons for hearing proof of damages, stating the time and place, as stated
 10 in said summons, and describing the road to be established or altered, and
 11 the lands for which damages are to be assessed; and in case service is made
 12 upon any owner by posting notices as above, provided the justice shall continue
 13 said hearing for a period not exceeding twelve days.

§ 44. Such justice shall also forthwith issue a venire directed to any constable
 2 of the county, to summons six persons having the qualifications of jurors to
 3 appear at such time and place as may be designated for the proving of such
 4 damages, whose competency shall be determined the same as in other civil cases
 5 before justices of the peace. Either party to the case shall have the
 6 same right of challenge as in other civil cases, and any deficiency in the

18
7 number of jurors, from whatever cause, shall be supplied by summoning other
8 persons residing in said county: *Provided*, that not more than one-half of such
9 jury shall be residents of the town liable to pay the damages assessed in the
10 case: *Provided, further*, that changes of venue may be granted, if applied for
11 before the commencement of the trial, in the same manner as in other civil
12 causes before justices of the peace.

§ 45. The jury shall appear before and be sworn by such justice faithfully and impartially to assess the damage of each of the owners specified in such certificate, or those of them whose claims are then to be adjusted, according to law, to the best of their judgment and understanding; and all parties in interest shall be entitled to subpoenas and other writs and papers, and the trial shall be conducted as in other civil cases.

§ 46. The case shall be entitled "Commissioners of highways of the town of ——vs.——" (whoever may be summoned as land owners), and the jury shall hear such lawful evidence touching the question of such damages as may be presented to them; the claimants having the right to open and close the case, and shall also, on request of a majority of the commissioners or owners of lands whose damages are to be determined, in a body visit and examine the proposed location, alteration, widening or vacation of such road, and the lands to be taken and affected thereby, and make a written verdict specifying the amount of damages, if any, which every such owner shall recover, and return the same to each justice, to be by him entered on his docket in the nature of a judgement: *Provided*, that in estimating the damages, except damages to property actually taken for a road, the jury may consider the benefits conferred; but no benefits enjoyed in common by the owners of surrounding property shall be considered in estimating damages.

§ 47. Within ten days after the total amount of damages shall have been ascertained, either by release or agreement of the parties, or by assessment before a justice of the peace and a jury, in the manner hereinbefore provided, the commissioners shall hold a meeting to finally determine upon the laying out, altering, widening or vacation of such road; of which meeting said commissioners shall give public notice, by causing not less than five notices

7 thereof to be posted in public places within the town, at least five days prior
8 thereto.

§ 48. In cases where the damages are not wholly released or agreed
2 upon, and the commissioners, in case no appeal has been taken, and the
3 supervisors hearing the appeal, in case an appeal is taken, shall be of the
4 opinion that the damages assessed by the jury are manifestly too high, and
5 that the payment of the same would be an unreasonable burden upon the
6 tax-payers of the town, the commissioners, or the supervisors who heard the
7 appeal, as the case may be, may revoke all proceedings had upon the peti-
8 tion by a written order to that effect; and such revocation shall have the effect
9 to annul all such proceedings and assessments, releases and agreements, in re-
10 spect to damages growing out of the proceedings upon the petition: *Provided*,
11 upon the final determination of the commissioners of highways, or the supervi-
12 sors, upon appeal being determined, and a copy of all such proceedings being
13 filed in the town clerk's office, no other proceeding shall be had by the commie-
14 sioners of highways, nor any petition entertained in regard to the same road or
15 petition for two years from the date of filing such copies of proceedings. And
16 after two trials as aforesaid, if the decision be the same, no other petition shall
17 be entertained for the same until the expiration of three years from the filing
18 of the last proceedings.

§ 49. In case the commissioners shall not revoke such prior proceedings
2 they shall make an order, to be signed by them, declaring such road so altered
3 widened or laid out a public highway, and which order shall contain or have
4 annexed thereto a definite description of the line of such road, together
5 with a plat thereof. The commissioners shall, within five days from the date
6 of such order, cause the same, together with the report of the survey, the
7 petition and the releases agreements or assessments in respect to damages,
8 to be deposited and filed in the office of the town clerk, who shall
9 note upon such order the date of such filing. It shall be the duty
10 of such clerk, after the time for appeal to supervisors has expired, and in the
11 case of such appeal, after the same shall have been determined, in case the

12 prayer of the petition is granted, to record such order, together with the plat
13 of the surveyor, in a proper book to be kept for that purpose.

§ 50. In cases where the damages claimed by the land-owners for the right
2 of way are released, or are agreed upon between the land-owners and commission-
3 ers, the commissioners may, at their first meeting or at a subsequent meeting
4 examine the route of the road, and cause a survey thereof to be made, and
5 make their order establishing, altering, widening or vacating the road, accord-
6 ing to the prayer of the petition, and return the same within the time and in
7 the manner specified in this act.

§ 51. Any person or persons interested in the establishment, alteration,
2 widening or vacation of any road in this State, are hereby authorized to offer
3 inducements to the commissioners for the establishment, alteration, widening
4 or vacation of any such road, by entering into contract with said commis-
5 sioners, conditioned upon such establishment, alteration, widening or vacat-
6 ing, to pay money or other valuable thing to the town for the benefit of the
7 road and bridge funds of the same; or to perform any labor or to construct
8 any road, bridge or culvert on any road which said person or persons desire
9 to have established, widened or altered. And such contracts, in writing,
10 made with said commissioners, shall be deemed good and valid in law, and
11 may be enforced by said commissioners or their successors in office, before
12 any court having jurisdiction.

§ 52. The records of the town clerk, or a certified copy of such record and
2 papers, relating to the establishment, location, alteration, widening or vacation
3 of any road, shall be *prima facie* evidence in all cases that all the necessary
4 antecedent provisions had been complied with, and that the action of the com-
5 missioners or other persons and officers in regard thereto was regular in all
6 respects.

§ 53. Whenever a public road is ordered to be established or altered, accord-
2 ing to the provisions of this act, which road shall pass through or on enclosed
3 land, the commissioners of highways shall give the owner or occupant of such
4 land sixty days' notice, in writing, to remove the fences. If such owner or occu-
5 pant does not remove the fence or fences within sixty days after such notice,

6 the commissioners shall have the same removed, and direct the road to be
 7 opened and worked. The owner of such premises shall pay all necessary costs
 8 of removal, and the same may be recovered by the commissioners before any
 9 justice of the peace of the county.

§ 54. Roads for private and public use, of the width of three rods or less, may
 2 be laid out from one dwelling or plantation of an individual to any public road,
 3 or from one public road to another, or from a lot of land to a public road, on
 4 petition to the commissioners by any person directly interested. The commis-
 5 sioners, on receiving such petition shall have power to lay out the road as asked
 6 for therein, to which end they shall proceed and examine into the merits of the
 7 case, and shall be governed in their proceedings by the rules and regulations
 8 prescribed in this act in relation to public roads. The jury shall consider the
 9 damages that may result to parties from said proposed road, and shall assess the
 10 damages to each individual owner of lands affected thereby. The amount of
 11 such damages shall be paid by the persons benefited thereby to the extent and
 12 in proportion that they are benefited, to be determined and declared by the
 13 jury. The remainder of the amount of damages over and above that to be paid
 14 by the parties as aforesaid, shall be paid by the town as in other cases. The
 15 amount of damages to be paid by individuals shall be paid to the parties entitled
 16 thereto before the road shall be opened for use. An appeal may be taken on
 17 the question of the propriety and necessity of such road as in other cases.

§ 55. If such road or cartway shall not be opened by the petitioners within
 2 two years from the time of making the order for the location of the same, such
 3 order shall be regarded as rescinded.

§ 56. When such road or cartway is proposed to pass over inclosed lands the
 2 owners of such lands shall have a reasonable time, not exceeding eight months,
 3 to be designated by the commissioners, to harvest crops and remove fences
 4 which may be on such lands before such road or cartway shall be opened.

§ 57. Public roads may be established, altered, widened or vacated on town-
 2 ship or county lines, or from one township into another, in the same manner as
 3 other public roads, except that in such case a copy of the petition shall be posted
 4 up in and presented to the commissioners of each town interested; said petition

5 to be as in other cases, and signed by not less than twelve land owners residing
6 in either county within three miles of the road so to be altered, widened, located
7 or laid out; whereupon it shall be the duty of the commissioners of the several
8 districts to meet and act as one body, in the same time and manner as in other
9 cases, in considering the petition, viewing the premises, adjusting damages and
10 making all orders in reference to such proposed road alteration, widening or
11 vacation, and a majority of all such commissioners must concur in all such
12 orders; and a copy of all final orders and plats and papers shall be filed and
13 recorded in each of the counties and towns interested.

§ 58. The commissioners shall also, in case a new road is established, allot to
2 each of such towns the part of such road which each of such towns shall
3 open and keep in repair, and the part so allotted shall be considered as wholly
4 belonging to such town. They shall also divide the expenses and damages
5 which may accrue from such location, widening or alteration, and if they cannot
6 agree, they shall refer the matter to three disinterested land owners, as arbitra-
7 tors, whose decision shall be final.

§ 59. Any person or persons interested in the decision of the commissioners
2 in determining to or in refusing to lay out, alter, widen or vacate any road or re-
3 voking any previous order or decision relative to any road, or in the verdict
4 of any jury in assessing damages in opening, altering or vacating any road, may
5 appeal from such decision to three supervisors of the county, outside of the
6 town or towns in which such road or proposed road is located, within ten days
7 after such decision has been filed in the office of the town clerk, by filing a
8 written petition with some justice of the peace of the county, asking for an
9 appeal, and stating on what grounds such appeal is taken.

§ 60. It shall be the duty of the justice of the peace to cause to be sum-
2 moned three supervisors of the county to hear such appeal; and he shall fix
3 in such summons upon a time and place near the road in question, when
4 said appeal will be heard by them; and, at least three days before such
5 trial, shall give a written notice to the said commissioners, and to at least
6 three of the petitioners, of the time and place of said trial; and upon such
7 appeal the said supervisors shall have the same power and authority that is

8 by this act conferred on the commissioners, not only in regard to the laying
 9 out, altering, widening or vacating any road, but shall have the same power
 10 to cause a jury to be called to assess damages, whenever the state of the
 11 proceedings require it, and the supervisors cannot agree with the owners of
 12 the land in regard to the same.

§ 61. The decision of a majority of the supervisors in any appeal case
 2 shall be taken as the decision of said supervisors; and they shall make a
 3 report of their proceedings and decision in the case, and in like manner that
 4 is by this act required of the commissioners, and shall be entitled to two
 5 dollars and fifty cents per day. Their decision shall be final in regard to
 6 laying out, altering, widening or vacating such road, or in refusing to do
 7 the same.

§ 62. Any parties taking an appeal from the award of the decision of the
 2 commissioners, or the verdict of the jury, shall file a sufficient bond
 3 with the justice of the peace, or town clerk, before taking such appeal
 4 conditioned for the payment of the cost of such appeal, in case the decision
 5 of the commissioners or the verdict of the jury is in all things sustained,
 6 or the appeal dismissed; if the award of the highway commissioners, or ver-
 7 dict of the jury shall not be sustained, the town shall pay the cost of such
 8 appeal.

§ 63. When the commissioners of one town disagree with the commissioners
 2 of an adjoining town, in regard to the laying out of a new road, or the altera-
 3 tion, widening or vacation of an old road on any county or town line, appeals
 4 may be taken from such decision in the same manner as where the road is
 5 wholly in one town. When such decision is in regard to a road on a county
 6 line, two supervisors shall be selected from one county and one supervisor
 7 shall be selected from the other, by the justice of the peace, who shall issue
 8 his summons accordingly.

§ 64. All roads heretofore laid out upon town or county lines, shall be
 2 divided, allotted and kept in repair in the manner as hereinbefore directed.
 3 Any public road that is or shall hereafter be laid out on a county or town line
 4 shall be held to be a road on a county or town line, although, owing to the topo-

5 graphy of the ground along said county or town line, or at the crossing of any
 6 stream of water, the proper authorities, in establishing or locating such road,
 7 may have located a portion of the same to one side of such county or town
 8 line.

§ 65. Roads may be laid out and opened upon the line between this and
 2 any adjoining State, as provided in the preceding sections, whenever the
 3 laws of such adjoining State shall be applicable.

§ 66. The commissioners shall receive for their services the sum of one
 2 dollar and fifty cents per day for each day necessarily employed in the
 3 performance of their duties, upon a sworn statement to be filed by each com-
 4 missioner in the town clerk's office, showing the number of days he was
 5 employed, and the kind of employment, and giving the dates thereof.

§ 67. If the commissioners shall willfully refuse or neglect to perform any
 2 of the duties enjoined on them by this act, they shall severally forfeit not less
 3 than ten dollars nor more than fifty dollars, and may be proceeded against,
 4 in the name of the town, severally or jointly, for the recovery of such forfeiture,
 5 before any justice of the peace in the proper county having jurisdiction.

LAW OF THE ROAD.

§ 68. The term "carriage," as used in this act, shall be construed to include
 2 stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle
 3 used for the transportation of passengers and goods, or either of them.

§ 69. Nothing contained in this act shall interfere with or affect any law
 2 concerning hackney coaches or carriages in any of the cities of this State, nor
 3 interfere with nor affect the laws or ordinances of any such city for the
 4 licensing or regulating such coaches or carriages. Justices of the peace shall
 5 have jurisdiction in all cases arising under this act, where the penalty does
 6 not exceed their jurisdiction.

§ 70. For destroying or defacing any guide-board, post or mile-stone, or any
 2 notice or direction put up on any bridge or otherwise, by or with the authority
 3 of the commissioners, the offender shall forfeit a sum not less than three
 4 dollars, nor more than fifty dollars.

25

§ 71. If any person shall injure or obstruct a public road by falling a tree
2 or trees in, upon or across the same, or by placing or leaving any other
3 obstruction thereon, or encroaching upon the same with any fence, or by plowing
4 or digging any ditch or other opening thereon, or by turning a current of water
5 so as to saturate or wash the same, or shall leave the cuttings of any hedge
6 thereon for more than ten days, they shall forfeit for every such offense a sum
7 not less than three dollars, nor more than ten dollars; and in case of placing
8 any obstruction on the highway, an additional sum of not exceeding three
9 dollars per day for every day he shall suffer such obstruction to remain after he
10 has been ordered to remove the same by any of the commissioners; complaint
11 to be made by any person feeling himself aggrieved: *Provided*, this section shall
12 not apply to any person who shall lawfully fell any tree for use, and will im-
13 mediately remove the same out of the road, nor to any person through whose
14 land a public road may pass, who shall desire to drain his land, and shall give
15 due notice to the commissioners of such intention: *And provided, further*, that
16 the commissioners after having given reasonable notice to the owners or persons
17 so obstructing, or plowing or digging ditches upon such road, of the obstruction,
18 may remove any such fence or other obstruction, fill up any such ditch or
19 excavation, except ditches necessary to the drainage of an adjoining farm,
20 emptying into a ditch upon the highway, and recover the necessary cost of such
21 removal from such owner or other person obstructing such road aforesaid to be
22 collected by said commissioners before any justice of the peace having
23 jurisdiction.

§ 72. It is hereby declared unlawful for any land owner, renter or other
2 person to deposit in a public road, weeds, trash, garbage or any offensive matter,
3 and any person so offending shall be liable to a penalty of not less than three
4 dollars, nor more than ten dollars; but this shall not apply where proper
5 deposits may be made in good faith and in a proper manner to repair the roads.

§ 73. If any person shall purposely destroy or injure any sidewalk, public
2 bridge, culvert or causeway, or remove any of the timber or plank thereof, or
3 obstruct the same, he shall forfeit a sum not less than three nor more than one

4 hundred dollars, and shall be liable for all damages occasioned thereby and all
5 necessary costs for rebuilding or repairing the same.

§ 74. All suits for the recovery of any fine or penalty under this act shall be
2 brought in the name of the town in which the offense is committed, before any
3 justice of the peace or police magistrate within the town, who shall have
4 jurisdiction in such cases to the extent of their jurisdiction in other cases; and
5 it shall be the duty of the commissioners to seasonably prosecute for all fines and
6 penalties under this act; but in case of a failure of said officers to so prosecute,
7 complaint may be made by any person: *Provided*, said person shall, before
8 bringing suit in the name of the town, give a bond for costs, as is provided for
9 in the case of non-residents. But whenever any person shall enter complaint
10 to any commissioner, it shall be the duty of such commissioner to at once
11 proceed to investigate as to the reasons of such complaint, and if such com-
12 plaint is found to be just he shall at once proceed to prosecution: *Provided*,
13 *further*, that the commissioners may sue and be sued on all contracts entered
14 into by them for the construction and repairing of roads and bridges, and the
15 judgment in any such case against the commissioners shall be a town charge.

§ 75. All fines recovered under the provisions of this act, unless otherwise
2 provided, shall be paid over to the treasurer of the commissioners of the town
3 where the offense is committed, to be expended upon the roads and bridges in
4 the town.

§ 76. Any person owning, using or occupying lands on both sides of any pub-
2 lic highway, shall be entitled to the privilege of making a crossing under said
3 highway, for the purpose of letting his cattle and other domestic animals cross
4 said road: *Provided*, said person shall erect at his own expense, a good and
5 substantial bridge, with good railings on each side thereof, and build an em-
6 bankment, of easy grade, on either side of said bridge; said bridge to be not less
7 than sixteen feet wide, and to be approved by the commissioners of the
8 town in which said bridge is built, and the same to be kept constantly in
9 good repair by the owner or occupant of said land, the construction subject
10 always to the consent and approval of the commissioners of said town. *And*
11 *provided, further*, that in case such crossing is made on any water-way or

12 natural channel for water and where a culvert or bridge is maintained as
 13 required for road purposes, said owners or occupants shall not be required to
 14 pay for or construct any more of said crossing than the additional cost of such
 15 crossing over and above the necessary cost of a suitable culvert or bridge for
 16 road purposes at such place.

§ 77. Whenever any persons, traveling with any carriages, shall meet on any
 2 turnpike road or public highway in this State, the persons so meeting shall
 3 seasonably turn their carriages to the right of the beaten track, so as to permit
 4 each carriage to pass without interfering or interrupting, under the penalty of
 5 five dollars for every neglect or offense, to be recovered by the party aggrieved:
 6 *Provided*, this section shall not be construed to apply to a case where it is
 7 impracticable from the nature of the ground for the driver of the carriage
 8 or wagon to turn to the right of the beaten track.

§ 78. No person owning any carriage, running or traveling upon any road
 2 in this State for the conveyance of passengers, shall knowingly employ, or
 3 continue in employment, any person to drive such carriage who is addicted to
 4 drunkenness or the excessive use of spirituous liquors; and if any such owner
 5 shall violate the provisions of this section, he shall forfeit at the rate of five
 6 dollars per day for all the time he shall keep such driver in his employment.
 7 Any person driving his own team, or the team of another, on the public
 8 highway, when intoxicated, shall be subject to a fine of not less than three
 9 dollars, nor more than twenty-five dollars for each offense.

LABOR SYSTEM.

§ 79. On petition of not less than 25 legal voters of any town in
 2 this State, in counties where township organization has been or may be
 3 hereafter adopted, asking to have the proposition to pay in labor, the district
 4 labor and property road tax submitted to the legal voters of said town and
 5 filed with the town clerk not less than 15 days before the last Tuesday in
 6 August, when it is desired to vote thereon at a special town meeting to be
 7 held on the last Tuesday in August, or not less than 15 days before the an-
 8 nual town meeting, when it is desired to vote thereon at said annual town
 9 meeting, the town clerk shall, thereupon, call a special town meeting on said

10 last Tuesday in August, or state in the notice of the annual town meeting
 11 as the case may be, that the legal voters of such town may vote by ballot
 12 for or against the payment in labor of the district labor and property road
 13 tax; and if a majority of all the ballots cast are for the payment in labor
 14 of the district labor and property road tax, then all the following sections
 15 of this act, shall be in force in such town, otherwise they shall not be in
 16 force in any town in this State: *Provided*, the vote which may be taken
 17 under this section shall not affect the late section of this act, but, the
 18 same shall be and remain in force.

§ 80. Every able-bodied male inhabitant, being above the age of
 2 twenty-one years and under the age of fifty, (excepting paupers, idiots luna-
 3 tics and such others as are exempt by law), shall be required to labor on
 4 the highways in their respective road districts, not less than one nor more
 5 than three days in each and every year.

§ 81. The commissioners of highways of each town shall annually
 2 ascertain, as near as practicable, how much money must be raised by tax on
 3 real and personal property, and railroad property known as "railroad track"
 4 and "rolling stock," for the making and repairing of roads only, to any
 5 amount they may deem necessary, not exceeding forty cents on each one
 6 hundred dollars' worth, as equalized and assessed by the State Board of
 7 Equalization for the purposes of taxation for the previous year, and shall
 8 levy and assess the same as a road tax against said property: *Provided*, that
 9 the tax on the property levied for road purposes only, lying within an incor-
 10 porated village, town or city, in which the streets and alleys are under the
 11 care of the corporation, shall be paid over to the treasurer of such village,
 12 town or city, to be appropriated to the improvement of roads, streets and
 13 bridges, either within or without said village, town or city, and within the
 14 township, under the direction of the corporate authorities of such village,
 15 town or city: *Provided, further*, that when any of said tax is expended beyond
 16 the limits of said village, town or city, it shall be with the consent of the
 17 road commissioners of the town: *And provided, further*, that the authorities
 18 of such incorporated town, city or village may at any time direct the collec-

165 tor not to collect the tax so levied within the limits of such incorporated
 166 town, city or village.

§ 82. The commissioners of highways shall affix to the name of each
 2 person named in the lists furnished by the overseers, the number of days
 3 assessed to each person for highway labor, and they shall make a list for
 4 each district, containing a description of each tract of land in the district,
 5 and the name of the owner, if known, and the name of the owner of any
 6 railroad property, known as "railroad track" and "rolling stock," and also a
 7 list of the names, in alphabetical order, of the personal property tax-payer,
 8 and shall set opposite each tract of land the valuation thereof, as taken from
 9 the assessment roll of the previous year as equalized by the State Board of
 10 Equalization, and opposite each tax-payer's name the amount of his personal
 11 assessment on personal property as taken from said roll, and opposite the
 12 name of each owner of railroad property, known as "railroad track" and
 13 "rolling stock," the valuation thereof, as assessed by the State Board of
 14 Equalization for the purposes of taxation for the previous year, and distrib-
 15 uted by the county clerk, and opposite each valuation and assessment they
 16 shall extend the road tax assessed thereon in a separate column. The lists
 17 so prepared shall be subscribed by the commissioners, and deposited with
 18 the town clerk, to be filed in his office.

§ 83. The commissioners shall direct the clerk of the town to make
 2 a copy of each list, and shall subscribe such copies, after which they shall
 3 cause the several copies to be delivered to the respective overseers of high-
 4 ways of the several districts in which the highway labor is assessed. One
 5 copy for each overseer shall contain the name and number of days assessed
 6 to each person, the other, the real and personal property road tax.

§ 84. It shall be the duty of the overseers to add the names of
 2 persons left out of any such list, and of new inhabitants, and to rate the
 3 persons so added in the same proportion to work on the highways as others
 4 rated by the commissioners on such list, subject to an appeal to the com-
 5 missioners.

§ 85. It shall be the duty of the commissioners of highways of each town
 2 to credit such persons as live on private roads, and work the same, so much on
 3 account of their assessment, as such commissioner shall deem necessary to work
 4 such private road, or to annex such private road to some of the highway
 5 districts.

§ 86. The town clerk shall, within ten days after the commissioners of
 2 highways have filed in his office the amount of road tax assessed on the
 3 real and personal estate of the towns, post a notice on the outer door of
 4 the house where the town meeting was last held, and two other public
 5 places in said town, stating the amount of road tax assessed on each one
 6 hundred dollars' worth of real and personal estate of the town, and that
 7 persons interested can pay the same in labor on the highways, under the
 8 direction of the overseer of highways, in the district where the land or
 9 personal property is situated.

§ 87. If the commissioners of highways shall refuse or neglect to
 2 perform any of the duties enjoined on them by this act they shall severally
 3 forfeit not less than ten dollars, nor more than fifty dollars, and may be
 4 proceeded against, severally or jointly, for the recovery of such forfeiture
 5 before any justice of the peace in the proper county having jurisdiction.

§ 88. The commissioners of highways in each town shall appoint
 2 as many overseers of highways as there are road districts in the town; and
 3 each overseer of highways so chosen, shall be a resident of the road dist-
 4 rict for which he is appointed, and shall hold his office for one year.

§ 89. It shall be the duty of overseers of highways in each town:

2 *First*—To repair and keep in order the highways within their several districts
 3 for which they shall have been appointed.

4 *Second*—To warn all persons, from whom road labor is due, to work on the
 5 highways at such times and places, within their several districts, as they may
 6 think proper. The overseers of highways may contract with persons owing poll
 7 tax for road purposes, to perform a certain amount of labor on any road or
 8 bridge in their town or road district for the amount of such tax; and if the work

9 is done within the time that the money should have been paid, the overseers
10 shall give such person a receipt for such labor done or performed.

11 *Third*—To collect all fines and commutation money, and to execute all lawful
12 orders of the commissioners of highways.

13 *Fourth*—To deliver to the clerk of the town, within ten days after their
14 appointment, a list subscribed by such overseers, of the names of all the
15 inhabitants in his road district who are liable to work on highways.

§ 90. I. any person chosen or appointed to the office of overseer of
2 highways, shall refuse to serve, or if his office shall become vacant, the
3 commissioner of highways of the town shall, by warrant under their hands
4 appoint some other person in his stead; and the overseer so appointed shall
5 have the same powers, be subject to the same orders and liable to the same
6 penalties as overseers originally appointed.

§ 91. The commissioners making appointment, shall cause such war-
2 rant to be forthwith filed in the office of the town clerk, who shall give
3 notice to the person appointed as in other cases.

§ 92. Every overseer of highways who shall refuse or neglect to
2 perform any of the duties hereinbefore enumerated, or which may be law-
3 fully enjoined on him by the commissioners of highway of his town, shall
4 for every such refusal or neglect, forfeit the sum of ten dollars, to be sued
5 for by the commissioners of highways of the town, and when recovered to
6 be applied by them in making and improving the roads and bridges
7 therein.

§ 93. It shall be the duty of overseers of highways to give at least
2 three days notice, either verbally or by leaving a written notice at their
3 place of residence to all persons assessed to work on highways, and residing
4 within the limits of their respective districts, of the time and place when
5 and where they are to appear for that purpose, and with what implements;
6 but no person, being a resident of the town, shall be required to work on
7 any highway other than in the district in which he resides, except he re-
8 sides in a district on a town line, which district belongs to an opposite
9 town, and unless he shall elect to work in same district where he has land;

10 and in said case he may, with the approbation of the commissioners of
 11 highways, apply the work assessed in respect to such land in the district
 12 in which the same is situated: *Provided*, if the overseers of highways fail
 13 to perform their duty, the commissioners of highways shall have power to
 14 perform such duties, or cause the same to be performed, under such rules
 15 as they may prescribe.

§ 94. Every person able to work on the highways shall work the whole
 2 number of days for which he shall have been assessed; but every such person,
 3 other than an overseer of highways, may elect to commute for the same, or
 4 for any part thereof, at the rate of one dollar per day; in which case such
 5 commutation money shall be paid to the overseer of highways of the dis-
 6 trict in which the person commuting shall reside, to be applied and ex-
 7 pended by such overseer in the improvement of the roads and bridges in
 8 the same district.

§ 95. Any person intending to commute for his assessment, or any part
 2 thereof, shall within three days after he shall be notified to appear and work
 3 on the highways, pay the commutation money for the work required of him by
 4 such notice; and the commutation shall not be considered as complete until such
 5 money be paid.

§ 96. Every overseer of highways shall have power to require a team or a
 2 cart, wagon or plow, with a pair of horses or oxen, and a man to manage
 3 them for any person having the same within his district, who shall have been
 4 assessed two days or more, and who shall not have commuted for his as-
 5 sessment; and the person furnishing the same upon such requisition, shall be
 6 entitled to a credit of two days for each day's service therewith.

§ 97. Every person assessed to work on the highways, and named to work,
 2 may appear in person, or by an able-bodied man as a substitute, and the person
 3 or substitute shall actually work eight hours in each day, under a penalty of
 4 twenty-five cents for every hour such person or substitute shall be in default,
 5 to be imposed as a fine on the person assessed.

§ 98. If any person, after appearing, remain idle, or not work faithfully, or hinder others from working, such offender shall, for every offense, forfeit to the town the sum of two dollars.

§ 99. Every person so assessed and duly notified who shall not commute, and who shall refuse or neglect to appear, as above provided, shall forfeit to the town, for every day's refusal or neglect, the sum of two dollars (\$2.00). If he was required to furnish a team, carriage, man or implement, and shall refuse or neglect to comply he shall be fined as follows:

First—For wholly failing to comply with such requisition, four dollars (\$4.00) for each day.

Second—For omitting to furnish a pair of horses or oxen, one dollar and fifty cents (\$1.50) for each day.

Third—For omitting to furnish a man to manage the team, two dollars (\$2.00) for each day.

Fourth—For omitting to furnish a wagon, cart or plow, seventy-five cents (75c) for each day.

§ 100. It shall be the duty of every overseer of highways, within six days after any person assessed and notified shall be guilty of any refusal or neglect, for which a penalty or fine is prescribed in this act, unless a satisfactory excuse shall be rendered to him for such refusal or neglect, to make complaint, on oath, to any justice of the peace of the county: *Provided*, if the overseers of highways fail to perform their duty, as prescribed in this section, the commissioners of highways shall have power to perform such duties.

§ 101. The justice to whom such complaint shall be made shall forthwith issue a summons, directed to any constable of the county, requiring him to summon such delinquent to appear, within five days, before such justice, according to law, for such refusal or neglect.

§ 102. On the day of trial the justice shall proceed to hear and determine the case according to law, for the offense complained of, and shall forthwith issue an execution under his hand and seal, directed to any constable of the county where such delinquent shall reside, commanding him to levy such fine, with the costs of the proceeding, of the goods and chattels of such delinquent.

6 No personal property shall be exempt from levy of attachment or execution
 7 when the judgment is for commutation of road or street labor: *Provided*, the
 8 court rendering the judgment shall find that the same is for road or street
 9 labor, which finding shall be expressed on the record of said judgment and
 10 indorsed upon the execution when issued.

§ 103. The constable to whom such execution shall be delivered, shall forth-
 2 with collect the moneys therein mentioned. He shall pay the fine, when
 3 collected, to the justice of the peace who issued the execution; who is hereby
 4 required to pay the same to the overseer who entered the complaint, to be by
 5 him expended in improving the roads and bridges in the district of which he is
 6 overseer.

§ 104. Every fine collected for refusal or neglect to appear and work on the
 2 highways, shall be set off against his assessments, or personal labor tax, upon
 3 which it was founded, estimating every two dollars collected as a satisfaction
 4 for one day's work.

§ 105. The acceptance by an overseer, of any excuse for refusal or neglect
 2 shall not, in any case, exempt the person excused from commuting for or work-
 3 ing the whole number of days for which he shall have been assessed during the
 4 year.

§ 106. Every overseer of highways shall give at least three days notice to
 2 each person residing in his district, against whom a land, railroad property or
 3 personal property road tax is assessed, either personal or in writing, left at his
 4 usual place of abode, of the time when and the place where he may appear and
 5 pay his road taxes in labor and with what implements; and he may require of all
 6 persons appearing to pay their taxes in labor to furnish a spade, shovel, and
 7 hoe, and if any such person be the owner of a team, plow, wagon, cart or other
 8 implement useful for working the highways, he may require such person to
 9 furnish any of them, if his road taxes are not less than three dollars. And
 10 every such person may appear at the time and place and with such implements
 11 and teams as the overseer in his notice shall have required, and work in person
 12 or by an able bodied substitute; and every such person who shall so appear and
 13 work agreeable to the directions of such overseer of the highways in his

14 district, shall be credited on his road tax one dollar and twenty-five cents for
 15 every day he shall actually work eight hours, and at that rate for less time, and
 16 twenty-five cents a day for every wagon or plow, and one dollar a day for each
 17 yoke of oxen, and one dollar and twenty-five cents a day for each span of horses
 18 or mules he shall furnish agreeably to the requirements of said overseer:
 19 *Provided*, that any person may elect to pay such tax to the overseer in money:
 20 *Provided, further*, if the overseers of highways fail to perform their duty, the
 21 commissioners of highways shall have power to perform such duties, or
 22 cause the same to be performed under such rules as they may prescribe.

§ 107. It shall be the duty of the overseer of highways when such land or
 2 railroad property tax has been paid, either in money or labor, to write the
 3 word "paid" distinctly against each name or tract on his list, on which the
 4 same has been paid, and give a receipt for the same, whether paid in labor
 5 or money, when demanded.

§ 108. Every overseer of highways shall deliver to the supervisor of his
 2 town, and in Cook county to the county board, at least five days previous to
 3 the annual meeting of the board of supervisors, the lists furnished by the
 4 commissioners of highways, containing the land and personal property road
 5 tax, with an affidavit thereto, sworn to before the supervisor of the town, or
 6 some justice of the peace of the county, that on all tracts of land or rail-
 7 road property on such list, opposite which the word "paid" is written, such
 8 tax is paid, and that on all tracts of land or railroad property on such list,
 9 opposite which the word "paid" is not written, such tax is due and remains
 10 unpaid, according to the best of his knowledge and belief.

§ 109. If any overseer shall refuse or neglect to deliver such list to the
 2 supervisors, as provided in the last preceding section, or shall neglect or re-
 3 fuse to make the affidavit as therein directed, he shall, for every such offense,
 4 forfeit the sum of five dollars, and also the amount of taxes remaining un-
 5 paid, to be recovered by the commissioners of highways of the town, to be
 6 applied by them in improving the roads and bridges of such town.

§ 110. It shall be the duty of every overseer of highways to have at least
 2 three-fourths of the road labor assessed in his district, worked out or actu-

3 ally expended on the highways, previous to the first day of September in
4 every year.

§ 111. Every overseer of highways shall, on the second Tuesday next
2 preceeding the time of holding the annual town meeting in his town, within
3 the year for which he is elected or appointed, render, under oath, to one of
4 the commissioners of highways of the town, an account in writing contain-
5 ing:

6 *First*—The names of all persons assessed to work on the highways in
7 the district to which he is overseer.

8 *Second*—The names of all those who have actually worked on the high-
9 ways, with the number of days they have actually worked.

10 *Third*—The names of all those who have been fined, and the sums in which
11 they have been fined.

12 *Fourth*—The names of all those who have commuted, and the manner in
13 which the moneys arising from fines and commutations have been expended
14 by him.

15 *Fifth*—The amount of uncollected road tax which he has returned to the
16 supervisors of the town, as required in section one hundred and eight of this
17 act.

§ 112. Every such overseer shall also, then and there, render an account
2 in writing, of all moneys in his hands by virtue of his office, and shall also
3 pay over the same to his successor in office.

§ 113. If any overseer shall refuse or neglect to render such account, or
2 if, having rendered the same, he shall refuse or neglect to pay any balance
3 which may then be due from him, he shall, for every such offense, forfeit
4 the sum of five dollars, to be recovered, with the balance of the moneys re-
5 maining in his hands, by the commissioners of highways of the town, and to
6 be applied in making and improving the roads and bridges. It shall be the
7 duty of the commissioners to prosecute for such penalty, in every instance of
8 such refusal or neglect.

§ 114. It shall be the duty of the supervisors of the several towns to
2 receive the lists of the overseers of highways when delivered, pursuant to

3 section one hundred and eight of this act, and to lay the same before the board
4 of supervisors of the county.

§ 115. It shall be the duty of the board of supervisors, and in Cook county
2 the county board, to cause the amount of arrearages of the road tax returned
3 by the overseer of highways to the supervisors, as provided in section one hun-
4 dred and eight of this act, to be levied on the lands returned, and to be collected
5 in the same manner that other taxes of the county are levied and collected, and
6 to order the same, when collected, to be paid over to the commissioners of
7 highways of the town, except such portion of such tax as is hereinbefore
8 directed to be paid to the authorities of incorporated villages, towns and
9 cities, to be by them applied to the construction of roads and bridges.

§ 116. Each and every overseer of highways shall be entitled to one dollar
2 and fifty (\$1.50) cents per day for every day he is necessarily employed in the
3 execution of the duties of overseer, exceeding the amount of his highway
4 labor and road tax, the number of days to be accounted to and audited by
5 the commissioners of highways: *Provided*, that the number of days to be
6 audited shall be left discretionary with the commissioners of highways.

§ 117. The highway commissioners of each town shall annually ascertain
2 as near as practicable how much money must be raised by tax on real, per-
3 sonal and railroad property, for the making and repairing of bridges, the
4 the payment of damages by reason of the opening, altering, and laying out
5 of new roads and ditches, the purchase of the necessary tools, implements and
6 machinery for working roads, the purchase of the necessary material for build-
7 ing or repairing or draining roads and bridges, the pay of the overseers of
8 highways during the ensuing year, and for the payment of all outstanding
9 orders drawn by the commissioners on their treasurer, commencing on Tues-
10 day next preceding the annual meeting of the county board in September,
11 which tax shall be extended on the tax books, according to the assessment of
12 the current year; and shall levy a tax on all the real, personal and railroad
13 property in said town, not exceeding forty cents on the one hundred dollars;
14 and they shall give to the supervisor of the township, and in Cook county to
15 the county board, a statement of the amount necessary to be raised, and the

16 rate per cent. of taxation, signed by said commissioners, or a majority of them,
 17 on or before the Tuesday next preceding the annual September meeting of
 18 the board of supervisors, or the county board of Cook county, who shall cause
 19 the same to be submitted to said board for their action at such September
 20 meeting of said board. *Provided*, that if the commissioners of highways, or
 21 any three legal voters, shall give notice, by posting notices in at least three
 22 of the most public places of the town, at least ten days before the annual town
 23 meeting, that a larger amount of money will be required for the purpose of
 24 constructing or repairing roads or bridges in their town, than can be realized
 25 from the real, personal and railroad property tax, authorized by law, to be assessed
 26 by the commissioners, the legal voters present at such meeting may authorize an
 27 additional amount to be raised by tax, not exceeding forty cents on each one
 28 hundred dollars' valuation, and said board shall cause the same to be extended
 29 on the tax books.

§ 118. The town clerk of each town shall, on or before the first day of Sep-
 2 tember next, and annually thereafter (if the boundary line be changed), furnish
 3 to the county clerk a certified plat of the several road districts of his town.

§ 119. In all counties acting under township organization, the county clerk,
 2 in extending district road tax upon the tax books, shall designate to what
 3 district said tax belongs.

§ 120. It shall be the duty of county and township collectors to make out
 2 an abstract of the amount of district road tax due to each district of the re-
 3 spective townships, and deliver the same to the treasurer of the commissioners
 4 of highways.

§ 121. The treasurer of the commissioners of highways shall pay over the
 2 district road tax according to the abstracts as furnished above, upon the written
 3 orders of the various overseers of roads for work done in their respective dis-
 4 tricts, when said orders are approved, in writing, by a majority of said com-
 5 missioners.

§ 122. That an act entitled "An act in regard to roads and bridges in counties
 2 under township organization," approved May 28, 1879, in force July 1, 1879, and
 3 all other acts or parts of acts inconsistent herewith, be and the same are

4 hereby repealed: *Provided*, that the repeal of said act shall not affect any suit
5 or proceedings pending, or impair any right existing at the time this act shall
6 take effect: *And, provided, also*, that the overseers of highways in office,
7 when this act takes effect, shall continue in office till the expiration of their
8 terms, and the road tax and road labor then due shall not be released from
9 its obligations, and the delinquent list shall be duly returned, and collected
10 as now provided, the avails of which shall be paid to the treasurer of the
11 commissioners.



1. Introduced by Committee on Judiciary, March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and ordered to a second reading.

A BILL

For An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly.* That any number of citizens of this State, not less than
3 one hundred, who are freeholders, residing in the contiguous townships or
4 precincts, are hereby authorized to form themselves into a company for the
5 purpose of detecting and apprehending horse thieves and other felons, as
6 hereinafter provided.

§ 2. Persons desirous of forming any such company, shall each subscribe
2 [to] articles of association, in which shall be set forth the name of the said
3 company, the residence of each member, the number of members and the
4 length of time for which such company shall be organized, which shall not
5 exceed ten years. Said articles of association shall be filed and recorded in
6 the office of the recorder of deeds of the county in which the majority of
7 the members of such company may reside, and a certified copy of such
8 record shall be received as evidence, in any court of the State, of the exist-
9 ence of such company, and of the membership of any person belonging
10 thereto.

§ 3. Whenever said articles of association shall be filed, as above pro-
2 vided, the said company, under the name and style which they may desig-
3 nate, shall be a body politic and corporate, and by such name may sue and
4 be sued, plead and be impleaded in any court of competent jurisdiction in

5 this State, and shall have succession during any time not exceeding ten
6 years, as provided in the second section of this act; may have and use a
7 common seal and alter the same at pleasure.

§ 4. Said company shall have the power to adopt a constitution and by-
2 laws for their government, and enforce obedience to the same; which con-
3 stitution and by-laws shall be consistent with the constitution and laws of
4 this State and the United States.

§ 5. Such company shall have power to call to their aid the peace officers
2 of this State, in accordance with law, in the pursuit and apprehension of
3 felons and reclaiming stolen property; and each and every one of the mem-
4 bers of such company, when engaged in arresting offenders against the
5 criminal laws of this State, shall be entitled to all the rights and privileges
6 of constables.

1. Reported to House, March 16, 1883.
2. First reading March 17, 1883, and referred to Committee on Judiciary.
3. Reported back, passage recommended, report concurred in, and ordered to second reading March 30, 1883.

A BILL

For An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons.

SECTION 1 *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That any number of citizens of this State, not less than one hundred, who are freeholders, residing in contiguous townships or precincts, are hereby authorized to form themselves into a company for the purpose of detecting and apprehending horse thieves and other felons, as hereinafter provided.

§ 2. Persons desirous of forming any such company, shall each subscribe articles of association, in which shall be set forth the name of the said company, the residence of each member, the number of members, and the length of time for which such company shall be organized, which shall not exceed ten years. Said articles of association shall be filed and recorded in the office of the recorder of deeds of the county in which the majority of the members of such company may reside, and a certified copy of such record shall be received as evidence, in any court of the State, of the existence of such company, and of the membership of any person belonging thereto.

§ 3. Whenever said articles of association shall be filed as above provided, the said company, under the name and style which they may designate, shall be a body politic and corporate, and by such name may sue and be sued, plead and be impleaded, in any court of competent jurisdiction in this State, and shall have succession during any time not exceeding ten years, as provided in the second section, of this act; may have and use a common seal, and alter the same at pleasure.

§ 4. Said company shall have the power to adopt a constitution and by-laws for their government, and enforce obedience to the same; which constitution and by-laws shall be consistent with the constitution and laws of this State and the United States.

§ 5. Such company shall have power to call to their aid the peace officers of this State, in accordance with law, in the pursuit and apprehension of felons and reclaiming stolen property; and each and every one of the members of such company, when engaged in arresting offenders against the criminal laws of this State, shall be entitled to all the rights and privileges of constables.

1. Introduced by Committee on Judiciary, March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and ordered to second reading.

A BILL

For An Act to amend sections 23 and 24 of an act entitled "An act to remedy the evils consequent upon the destruction of any public records by fire or otherwise," approved and in force April 9, 1872, and to add to said act an additional section numbered section 25.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly,* That sections 23 and 24 of an act entitled "An act to
3 remedy the evils consequent upon the destruction of any public records
4 by fire or otherwise," approved and in force April 9, 1872, be amended so as
5 read as follows:
6 "Section 23. In all cases under the provisions of this act, and in all pro-
7 ceedings or actions now or hereafter instituted as to any estate, interest or
8 right in, or any lien or incumbrance upon any lots, pieces or parcels of
9 land, when any party to such action or proceeding, or his agent or
10 attorney in his behalf, shall orally in court, or by affidavit to be filed in
11 such action or proceeding, testify and state under oath that the original
12 of any deeds, conveyances or other written or record evidence has been lost
13 or destroyed, or not in the power of the party wishing to use it on the trial to
14 produce the same, and the record thereof has been destroyed by fire or
15 otherwise, the court shall receive all such evidence as may have a bearing
16 on the case to establish the execution or contents of the deeds, conveyances,
17 records or other written evidence, so lost or destroyed. And an abstract of

18 title made in the ordinary course of business prior to such loss or destruc-
19 tion showing the title, or any part of the title, or any letter press copy
20 thereof, or any copies, minutes or extracts made from the books of record
21 lost or destroyed in the ordinary course of business, prior to such loss or
22 destruction, by any person or firm engaged in the business of obtaining
23 such information for the purpose of making abstracts of title, shall be
24 received and considered as evidence: *Provided*, that the testimony of the
25 parties themselves shall be received subject to all the qualifications in
26 respect of such testimony which are now provided by law: *And provided*
27 *further*, that any writings in the hands of any person or persons which may
28 become admissible in evidence under the provision of this section, or of any
29 other part of this act, shall be rejected and not admitted in evidence, unless
30 the same appear upon its face without erasure, blemish, alteration, inter-
31 lineation or interpolation in any material part, unless the same be explained
32 to the satisfaction of the court, and to have been fairly and honestly made
33 in the ordinary course of business, and that any person or persons making
34 any such erasure, alteration, interlineation or interpolation in any such writing
35 with the intent to change the same in any substantial matter, after the same has
36 been once made as aforesaid, shall be guilty of the crime of forgery, and be pun-
37 ished accordingly; and that any and all persons who may be engaged in the busi-
38 ness of making writings or written entries concerning or relating to lands and
39 real estate in any county in this State to which this act applies, and of furnish-
40 ing to persons applying therefor abstracts and copies of such writings, or
41 written entries as aforesaid for a fee, reward, or compensation therefor, and
42 shall not make the same truly and without alteration or interpolation in
43 any matter of substance, with the view and intent to alter or change
44 the same in any material matter, or matter of substance, shall be
45 guilty of the crime of forgery, and punished accordingly; and any and all such
46 person or persons shall furnish such abstracts or copies as aforesaid, to the
47 person and persons from time to time applying therefor, in the order of
48 applications and without unnecessary delay, and for a reasonable considera-
49 tion to be allowed therefor, which in no case shall exceed the sum of one

50 dollar and fifty cents for each and every conveyance or other like change of
51 title shown upon such abstract or copy; and any and all persons so engaged
52 and whose business is hereby declared to stand upon a like footing with
53 that of common carriers, who shall refuse so to do, if tender or payment be
54 made to him or them of the amount demanded for such abstract or copy,
55 not exceeding the amount aforesaid, as soon as such amount is made known
56 or ascertained, or of a sum adequate to cover said amount before its ascer
57 tainment, shall be guilty of the crime of extortion, and be punished by a
58 fine of not less than \$100 and not exceeding \$1,000 therefor, upon indict-
59 ment in any court having jurisdiction thereof; and shall also be liable in
60 an action on the case, or other proper form of action or suit, for any and
61 all damages, loss or injury which any person or persons applying therefor
62 may suffer or incur by reason of such failure to furnish such abstract or
63 copy as aforesaid.

64 "Section 24. Whenever, upon the trial of any suit or proceeding which is
65 now or hereafter may be pending in any court in this State, any party to
66 such suit or proceeding, or his agent or his attorney in his behalf, shall
67 orally in court, or by affidavit to be filed in such cause, testify and state
68 under oath that the originals of any deeds or other instrument in writing,
69 or records of any court relating to any lands, the title or any interest therein
70 being in controversy in such suit or proceeding, are lost or destroyed, or not
71 within the power of the party to produce the same, and that the records
72 thereof are destroyed by fire or otherwise, it shall be lawful for any such
73 party to offer, and the court shall receive, as evidence any abstract of title
74 made in the ordinary course of business, prior to such loss or destruction
75 showing the title to such land, or any part of the title of such land, that
76 may have been delivered to the owners, or purchasers, or other parties
77 interested in the land, the title, or any part of the title, of which is shown
78 by such abstract of title. And if the court shall be satisfied from affidavit
79 or testimony aforesaid, that the party to such suit or proceeding cannot
80 produce or cause to be produced such original abstract of title, then it shall
81 be lawful for any such party to offer, and the court shall receive as evidence,

82 any letter-press copy of such abstract, or any copies, minutes or extracts
 83 made from the books of record lost or destroyed, and made in the ordinary
 84 course of business prior to such loss or destruction, by any person or firm
 85 engaged in the business of obtaining such information for the purpose of
 86 making of title. And in all cases in which any abstracts, copies, minutes or
 87 extracts which are admissible in evidence under this and the preceding
 88 section, shall be received in evidence. All deeds or other instruments in
 89 writing appearing thereby to have been executed by any person or persons,
 90 or in which they appear to have joined, shall (except as against any person
 91 or persons in the actual possession of the lands or lots described therein at
 92 the time of the destruction of the records of such county claiming title
 93 thereto, otherwise than under a sale for taxes or special assessments, and
 94 except also as against infants, persons of unsound mind, and married women
 95 claiming an interest or property in their own right other than right of
 96 dower), be presumed to have been executed and acknowledged according to
 97 law, provided nothing appears therein to show that the execution or
 98 acknowledgement thereof is irregular or defective; and all sales under
 99 powers, and all judgments, decrees and legal proceedings, and all sales there-
 100 under (sales for taxes and assessments, and judgments and proceedings for
 101 the enforcement of taxes and assessments, excepted) shall be presumed to be
 102 regular and correct, except as against the person or persons in this section
 103 before mentioned; and any person alleging any defect or irregularity in any
 104 such conveyance, acknowledgment, sale, judgment, decree or legal proceed-
 105 ings, shall be held bound to prove the same: *Provided*, that nothing in this
 106 act contained shall impair the effect of said destroyed records as notice."

§ 2. And be it further enacted, that said act to which this act is an
 2 amendment, be further amended by the addition thereto of a section num-
 3 bered section 25; said section 25 to read as follows:

4 "§ 25. Any court shall have power to compel any person or persons having
 5 the custody or control of any abstracts, copies of abstracts, copies, minutes
 6 or extracts made from the books of record lost or destroyed, to produce the

7 same to be used as evidence in any suit or proceeding pending before it,
8 and to testify with reference thereto, without regard to private ownership
9 thereof: *Provided*, the party wishing to use the same on trial, shall first
10 procure and pay for an abstract of title containing such information, and
11 also, pay such further sum as the court may fix as reasonable compensation
12 for the attendance of the witness. And in case of a willful refusal to pro-
13 duce such abstract copies, minutes or extracts as may be required by the
14 court, the person so refusing, may be punished as for a contempt."

1. Introduced by Committee on Judiciary, March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and ordered to second reading.
3. Second reading April 11, 1883, amended, and ordered to a third reading.

A BILL

For An Act to amend sections 23 and 24 of an act entitled "An act to remedy the evils consequent upon the destruction of any public records by fire or otherwise," approved and in force April 9, 1872, and to add to said act an additional section numbered section 25.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That sections 23 and 24 of an act entitled "An act to remedy the evils consequent
3 upon the destruction of any public records by fire or otherwise," approved and in force April 9,
4 1872, be amended so as to read as follows:

5 "Section 23. In all cases under the provisions of this act, and in all proceedings or actions
6 now or hereafter instituted as to any estate, interest or right in, or any lien or incumbrance upon
7 any lots, pieces or parcels of land, when any party to such action or proceeding, or his agent or
8 attorney in his behalf, shall orally in court, or by affidavit to be filed in such action or proceeding,
9 testify and state under oath that the original of any deeds, conveyances or other written or record
10 evidence has been lost or destroyed, or not in the power of the party wishing to use it on the
11 trial to produce the same, and the record thereof has been destroyed by fire or otherwise, the
12 court shall receive all such evidence as may have a bearing on the case to establish the execution
13 or contents of the deeds, conveyances, records or other written evidence, so lost or destroyed.

14 And an abstract of title made in the ordinary course of business prior to such loss or destruction,
15 showing the title, or any part of the title, or any letter press copy thereof, or any copies, minutes
16 or extracts made from the books of record lost or destroyed in the ordinary course of business
17 prior to such loss or destruction, and any maps or plats copied or traced from the original plats or
18 from the records thereof, and used by any person or firm engaged in the business of obtaining
19 such information for the purpose of making abstracts of title, shall be received and considered as

evidence: *Provided*, that the testimony of the parties themselves shall be received subject to all the qualifications in respect of such testimony which are now provided by law: *And, provided*, further, that any writings in the hands of any person or persons which may become admissible in evidence under the provision of this section, or of any other part of this act, shall be rejected and not admitted in evidence, unless the same appear upon its face without erasure, blemish, alteration, interlineation or interpolation in any material part, unless the same be explained to the satisfaction of the court, and to have been fairly and honestly made in the ordinary course of business, and that any person or persons making any such erasure, alteration, interlineation or interpolation in any such writing with the intent to change the same in any substantial matter, after the same has been once made as aforesaid, shall be guilty of the crime of forgery, and be punished accordingly; and that any and all persons who may be engaged in the business of making writings or written entries concerning or relating to lands and real estate in any county in this State to which this act applies, and of furnishing to persons applying therefor abstracts and copies of such writings, or written entries as aforesaid, for a fee, reward or compensation therefor, and shall not make the same truly and without alteration or interpolation in any matter of substance, with the view and intent to alter or change the same in any material matter, or matter of substance, shall be guilty of the crime of forgery, and punished accordingly; and any and all such person or persons shall furnish such abstracts or copies as aforesaid, to the person and persons from time to time applying therefor, without unnecessary delay, and for a reasonable consideration to be allowed therefor, which in no case shall exceed the sum of one dollar and fifty cents for each and every conveyance or other like change of title shown upon such abstract or copy; and any and all persons so engaged, and whose business is hereby declared to stand upon a like footing with that of common carriers, who shall refuse so to do, if tender or payment be made to him or them of the amount demanded for such abstract or copy, not exceeding the amount aforesaid, as soon as such amount is made known or ascertained, or of a sum adequate to cover said amount before its ascertainment, shall be guilty of the crime of extortion, and be punished by a fine of not less than \$100 and not exceeding \$1,000 therefor, upon indictment in any court having jurisdiction thereof; and shall also be liable in an action on the case, or other proper form of action or suit, for any and all damages, loss or injury which any person or persons applying therefor may suffer or incur by reason of such failure to furnish such abstract or copy as aforesaid.

"Section 24. Whenever, upon the trial of any suit or proceeding which is now or hereafter may be pending in any court in this State, any party to such suit or proceeding, or his agent or

53 attorney in his behalf, shall orally in court, or by affidavit to be filed in such cause, testify and
 54 state under oath that the originals of any deeds or other instrument in writing, or records of any
 55 court relating to any lands, the title or any interest therein being in controversy in such suit or
 56 proceeding, are lost or destroyed, or not within the power of the party to produce the same, and
 57 that the records thereof are destroyed by fire or otherwise, it shall be lawful for any such party
 58 to offer, and the court shall receive, as evidence, any abstract of title made in the ordinary course
 59 of business, prior to such loss or destruction, showing the title to such land, or any part of the
 60 title of such land, that may have been delivered to the owners, or purchasers, or other parties in-
 61 terested in the land, the title, or any part of the title, of which is shown by such abstract of
 62 title. And if the court shall be satisfied, from affidavit or testimony aforesaid, that the party to
 63 such suit or proceeding cannot produce or cause to be produced such original abstract of title,
 64 then it shall be lawful for any such party to offer, and the court shall receive as evidence, any
 65 letter-press copy of such abstract, or any copies, minutes or extracts made from the books of
 66 record lost or destroyed, and made in the ordinary course of business prior to such loss or des-
 67 truction, and any maps or plats copied or traced from the original plats or the records thereof
 68 and used by any person or firm engaged in the business of obtaining such information for the
 69 purpose of making abstracts of title, or proved or certified copies of said writings or plats as
 70 hereinafter provided. And in all cases in which any abstracts, copies, minutes or extracts which
 71 are admissible in evidence under this and the preceding section, shall be received in evidence,
 72 all deeds or other instruments in writing appearing thereby to have been executed by any person
 73 or persons, or in which they appear to have joined, shall (except as against any person or persons
 74 in the actual possession of the lands or lots described therein at the time of the destruction of
 75 the records of such county, claiming title thereto otherwise than under a sale for taxes or special
 76 assessments, and except also as against infants, persons of unsound mind, and married women
 77 claiming an interest or property in their own right other than right of dower), be presumed to
 78 have been executed and acknowledged according to law, provided nothing appears therein to
 79 show that the execution or acknowledgment thereof is irregular or defective; and all sales under
 80 powers, and all judgments, decrees and legal proceedings, and all sales thereunder (sales for
 81 taxes and assessments, and judgments and proceedings for the enforcement of taxes and assess-
 82 ments, excepted) shall be presumed to be regular and correct, except as against the person or
 83 persons in this section before mentioned; and any person alleging any defect or irregularity in
 84 any such conveyance, acknowledgment, sale, judgment, decree or legal proceedings, shall be

held bound to prove the same: *Provided*, that nothing in this act contained shall impair the effect of said destroyed records as notice."

§ 2. And be it further enacted, that said act to which this act is an amendment, be further amended by the addition thereto of a section numbered section 25; said section 25 to read as follows:

"Section 25. It shall be lawful for any court to receive in evidence in any suit or proceeding, copies of such parts of the writings or plats made admissible in evidence by this act as relate to the premises in controversy; such copies to be proven by a witness or certified by a commissioner appointed by the court. And for the purpose of authenticating said copies, the court may, on application of a party to the suit or proceeding, appoint a commissioner, who shall have the right to inspect and compare the originals of any such writings or maps with the copies furnished to him, and shall have the power to administer oaths and take testimony, and said commissioner shall certify the copies and also the testimony taken by him to the court. And the court shall fix the compensation for witnesses and the commissioner, which shall be taxed in the costs. After the certified copies or the copies proposed to be proved are filed, the attorneys of the respective parties shall have the right to examine the originals thereof before the same shall be received in evidence. And the court shall have the power to compel the person or persons having the custody or control of such writings or plats to produce the same at their place of business to the commissioner and attorneys, as aforesaid: *Provided, however*, that the party wishing to use said copies shall procure and pay for an abstract of title to the premises in controversy so far as to give the copies desired, from the person or persons having the custody or control of any writings or plats made admissible in evidence by this act, before offering in evidence said proven copies and before making application for the appointment of a commissioner."

1. Reported to House April 26, 1883.
2. First reading April 30, 1883, and ordered to second reading.

A BILL

For An Act to amend sections 23 and 24 of an act entitled "An act to remedy the evils consequent upon the destruction of any public records by fire or otherwise," approved and in force April 9, 1872, and to add to said act an additional section numbered section 25.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections 23 and 24 of an act entitled "An act to
3 remedy the evils consequent upon the destruction of any public records by
4 fire or otherwise," approved and in force April 9, 1872, be amended so as to
5 read as follows:

6 "Section 23. In all cases under the provisions of this act, and in all pro-
7 ceedings or actions now or hereafter instituted as to any estate, interest or
8 right in, or any lien or incumbrance upon any lots, pieces or parcels of land,
9 when any party to such action or proceeding, or his agent or attorney in
10 his behalf, shall orally in court, or by affidavit to be filed in such action or
11 proceeding, testify and state under oath that the original of any deeds, con-
12 veyances or other written or record evidence has been lost or destroyed, or
13 not in the power of the party wishing to use it on the trial to produce the
14 same, and the record thereof has been destroyed by fire or otherwise, the court
15 shall receive all such evidence as may have a bearing on the case to estab-
16 lish the execution or contents of the deeds, conveyances, records or other
17 written evidence, so lost or destroyed. And an abstract of title made in
18 the ordinary course of business prior to such loss or destruction, showing

19 the title, or any part of the title, or any letter press copy [thereof, or any
20 copies, minutes or extracts made from the books of record lost or destroyed
21 in the ordinary course of business prior to such loss or destruction, and any
22 maps or plats copied or traced from the original plats or from the records
23 [thereof, and used by any person or firm engaged in the business of obtain-
24 ing such information for the purpose of making abstracts of title, shall be
25 received and considered as evidence: *Provided*, that the testimony of the
26 [parties themselves shall be received subject to all the qualifications in
27 respect of such testimony which are now provided by law: *And, provided*,
28 *further*, that any writings in the hands of any person or persons which may
29 become admissible in evidence under the provision of this section, or of any
30 other part of this act, shall be rejected and not admitted in evidence, unless
31 the same appear upon its face without erasure, blemish, alteration, inter-
32 lineation or interpolation in any material part, unless the same be explained
33 to the satisfaction of the court, and to have been fairly and honestly made
34 in the ordinary course of business, and that any person or persons making
35 any such erasure, alteration, interlineation or interpolation in any such
36 writing with the intent to change the same in any substantial matter, after
37 the same has been once made as aforesaid, shall be guilty of the crime of
38 forgery, and be punished accordingly; and that any and all persons who
39 may be engaged in the business of making writings or written entries con-
40 cerning or relating to lands and real estate in any county in this State to
41 which this act applies, and of furnishing to persons applying therefor
42 abstracts and copies of such writings, or written entries as aforesaid, for a
43 fee, reward or compensation therefor, and shall not make the same truly and
44 without alteration or interpolation in any matter of substance, with the
45 view and intent to alter or change the same in any material matter, or mat-
46 ter of substance, shall be guilty of the crime of forgery, and punished
47 accordingly; and any and all such person or persons shall furnish such
48 abstracts or copies as aforesaid, to the person and persons from time to
49 time applying therefor, without unnecessary delay, and for a reasonable
50 consideration to be allowed therefor, which in no case shall exceed the sum

51 one dollar and fifty cents for each and every conveyance or other like change
52 of title shown upon such abstract or copy; and any and all persons so
53 engaged, and whose business is hereby declared to stand upon a like foot-
54 ing with that of common carriers, who shall refuse so to do, if tender or
55 payment be made to him or them of the amount demanded for such abstract
56 or copy, not exceeding the amount aforesaid, as soon as such amount is made
57 known or ascertained, or of a sum adequate to cover said amount before its
58 ascertainment, shall be guilty of the crime of extortion, and be punished by
59 a fine of not less than \$100, and not exceeding \$1,000 therefor, upon indict-
60 ment in any court having jurisdiction thereof; and shall also be liable in
61 an action on the case, or other proper form of action or suit, for any and all
62 damages, loss or injury which any person or persons applying therefor may
63 suffer or incur by reason of such failure to furnish such abstract copy as
64 aforesaid.

65 "Section 24. Whenever, upon the trial of any suit or proceeding which is
66 now or hereafter may be pending in any court in this State, any party to
67 such suit or proceeding, or his agent or attorney in his behalf, shall orally in
68 court or by affidavit to be filed in such cause, testify and state under oath that
69 the originals of any deeds or other instrument in writing, or records of
70 any court relating to any lands, the title or any interest therein being in
71 controversy in such suit or proceeding, are lost or destroyed, or not within
72 the power of the party to produce the same, and that the records thereof
73 are destroyed by fire or otherwise, it shall be lawful for any such party to
74 offer, and the court shall receive, as evidence, any abstract of title made in
75 the ordinary course of business, prior to such loss or destruction, showing
76 the title to such land, or any part of the title of such land, that may have
77 been delivered to the owners, or purchasers, or other parties interest in the
78 land, the title, or any part of the title, of which is shown by such abstract of
79 title. And if the court shall be satisfied, from affidavit or testimony afore-
80 said, that the party to such suit or proceeding cannot produce or cause to be
81 produced such original abstract of title, then it shall be lawful for any such
82 party to offer, and the court shall receive as evidence, any letter-press copy of

83 such abstract, or any copies, minutes or extracts made from the books of record
 84 lost or destroyed, and made in the ordinary course of business prior to such
 85 loss or destruction, and any maps or plats copied or traced from the original
 86 plats or the records thereof and used by any person or firm engaged in the busi-
 87 ness of obtaining such information for the purpose of making abstracts of title,
 88 or proved or certified copies of said writings or plats as hereinafter provided,
 89 and in all cases in which any abstracts, copies, minutes or extracts which
 90 are admissible in evidence under this and the preceeding section, shall be re-
 91 ceived in evidence. All deeds or other instruments in writing appearing there-
 92 by to have been executed by any person or persons, or in which they appear
 93 to have joined, shall (except as against any person or persons in the actual
 94 possession of the lands or lote described therein at the time of the destruc-
 95 tion of the records of such county, claiming title thereto otherwise than
 96 under a sale for taxes or special assessments, and except also as against in-
 97 fants, persons of unsound mind, and married women claiming an interest or
 98 property in their own right other than right of dower), be presumed to have
 99 been executed and acknowledged according to law, provided nothing appears
 100 therein to show that the execution or acknowledgment thereof is irregular
 101 or defective; and all sales under powers, and all judgments, decrees and legal
 102 proceedings, and all sales thereunder (sales for taxes and assessments, and
 103 judgments and proceedings for the enforcement of taxes and assessments,
 104 excepted), shall be presumed to be regular and correct, except as against the
 105 person or persons in this section before mentioned; and any person alleging
 106 any defect or irregularity in any such conveyance, acknowledgment, sale,
 107 judgment, decree or legal proceedings, shall be held bound to prove the same:
 108 *Provided*, that nothing in this act contained shall impair the effect of said
 109 destroyed records as notice."

§ 2. And be it further enacted, that said act to which this act is an amend-
 2 ment, be further amended by the addition thereto of a section numbered
 3 section 25; said section 25 to read as follows:

4 "Section 25. It shall be lawful for any court to receive in evidence in any
 5 suit or proceeding, copies of such parts of the writings or plats made admis-

6 sible in evidence by this act as relate to the premises in controversy; such
7 copies to be proven by a witness or certified by a commissioner appointed
8 by the court. And for the purpose of authenticating said copies, the court
9 may, on application of a party to the suit or proceeding, appoint a commis-
10 sioner, who shall have the right to inspect and compare the originals of any
11 such writings or maps with the copies furnished to him, and shall have the
12 power to administer oaths and take testimony. And said commissioner shall
13 certify the copies and also the testimony taken by him to the court, and the
14 court shall fix the compensation for witnesses and the commissioner, which
15 shall be taxed in the costs. After the certified copies or the copies proposed
16 to be proved are filed, the attorneys of the respective parties shall have the
17 right to examine the originals thereof before the same shall be received in
18 evidence. And the court shall have the power to compel the person or per-
19 sons having the custody or control of such writings or plats to produce the
20 same at their place of business to the commissioner and attorneys, as afore-
21 said: *Provided, however*, that the party wishing to use said copies shall procure
22 and pay for an abstract of title to the premises in controversy so far as to
23 give the copies desired, from the person or persons having the custody or
24 control of any writings or plats made admissible in evidence by this act, be-
25 fore offering in evidence said proven copies and before making application
26 for the appointment of a commissioner."

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1. Introduced by Committee on Revenue, March 9, 1883, and ordered to first reading.
 2. First reading March 9, 1883, and ordered to second reading.
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A BILL

For An Act to transfer the balance to the credit of the "delinquent land tax fund" to the general revenue fund.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly*, That the sum of three hundred and thirty one dollars and
 - 3 six cents (\$331.06), being the balance of the delinquent land tax fund now in
 - 4 the State Treasury, be transferred, on the warrant of the Auditor of Public
 - 5 Accounts, to the general revenue fund.

1. Introduced by Mr. Berggren, March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back March 28, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section eleven (11), of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, and amended by act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section eleven (11), of an act entitled "An act to establish and maintain a sys-
3 tem of free schools," approved April 1, 1872, in force July 1, 1872, and amended by act
4 approved May 31, 1881, and in force July 1, 1881, be, and it is hereby amended so as to read as
5 follows:

6 "Section 11. On the Tuesday next after the first Monday in November, 1882, and every four
7 years thereafter, there shall be elected by the qualified voters of every county of this State, a
8 county superintendent of schools, who shall have attained to the age of twenty-five years, and
9 shall have had at least twelve months' practical experience as a teacher in public schools, and
10 who shall at the time of his election have a valid certificate of qualification from the superin-
11 tent of public instruction in this State (or a diploma from a State normal school, or from a
12 legally chartered institution of learning, whose curriculum shall embrace, at least, all of the
13 studies required by law to be taught in the public schools of this State). Said superintendent
14 shall perform the duties required by law, and shall enter upon the discharge of the duties of
15 said office on the first Monday of December after said election. He shall, before entering upon
16 the discharge of his duties, take the oath prescribed by the constitution, and execute a bond pay-
17 able to the State of Illinois, with two or more freeholders as security, to be approved by the
18 county board, or by the judge and clerk of the county court; in pe. alty of not less than \$12,000,
19 to be increased at the discretion of said board; conditioned that he will faithfully perform all

20 the duties of his office, according to the laws which are, or may be, in force, by which bond
21 the obligors shall be bound jointly and severally, and upon which an action, or actions, may be
22 maintained by the board of trustees of the proper township, for the benefit of any township or
23 fund injured by any breach of duty as county superintendent of schools."

AMENDMENTS.

1. Amend section 11, by striking out of line 2, of written bill, the figures "1882," and insert-
2 ing in lieu thereof the figures "1886."
- 3 2. Amend section 11, by striking out all of line 13, after the word "or," and all of lines 14,
4 15, 16 and 17, of written bill, and inserting in lieu thereof the following: "A diploma secured
5 from a State normal school upon graduation from the regular course of instruction; or a degree
6 granted to him, on graduation from the regular course of academic or scientific instruction, by
7 some chartered college or university."

1. Introduced by Mr. Berggren, March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back March 23, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 25, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section eleven (11), of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, and amended by act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section eleven (11), of an act entitled "An act to
3 establish and maintain a system of free schools," approved April 1, 1872, in
4 force July 1, 1872, and amended by act approved May 31, 1881, and in force
5 July 1, 1881, be, and it is hereby amended, so as to read as follows:
6 "Section 11. On the Tuesday next after the first Monday in November,
7 1886, and every four years thereafter, there shall be elected by the qualified
8 voters of every county of this State, a county superintendent of schools, who
9 shall have attained to the age of twenty-five years, and shall have had at
10 least twelve months' practical experience as a teacher in public schools, and
11 who shall at the time of his election have a valid certificate of qualification
12 from the superintendent of public instruction in this State (a diploma secured
13 from a State Normal school, upon graduation from the regular course of
14 instruction; from the regular academic or scientific instruction, by some
15 chartered college or university.) Said superintendent shall perform the
16 duties required by law, and shall enter upon the discharge of the duties of

17 said office on the first Monday of December after said election. He shall,
18 before entering upon the discharge of his duties, take the oath prescribed by
19 the constitution, and execute a bond payable to the State of Illinois, with two
20 or more freeholders as security, to be approved by the county board, or by
21 the judge and clerk of the county court, in penalty of not less than \$12,000, to
22 be increased at the discretion of said board; conditioned that he will faithfully
23 perform all the duties of his office, according to the laws which are, or may be,
24 in force, by which bond the obligors shall be bound jointly and severally, and
25 upon which an action or actions may be maintained by the board of trustees
26 of the proper township, for the benefit of any township or fund injured by any
27 breach of duty as county superintendent of schools."

1. Introduced by Mr. Berggren March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back with amendments, March 23, 1883, passage recommended, and ordered to second reading.
4. Second reading April 25, 1883, and ordered to third reading.
5. Third reading May 17, 1883, reconsidered and referred to Committee on Education and Educational Institutions.
6. Reported back May 17, 1883, with amendment, passage recommended, and ordered to second reading.

AMENDMENT.

Amend the bill by inserting the word "or," after the word "State," in line 26, page 1 of written bill, as engrossed by the clerk.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, and amended by act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section eleven (11) of an act entitled "An act to
3 establish and maintain a system of free schools," approved April 1, 1872, in
4 force July 1, 1872, and amended by act approved May 31, 1881, and in force
5 July 1, 1881, be, and is hereby amended, so as to read as follows:

6 "Section 11. On the Tuesday next after the first Monday in November,
7 1886, and every four years thereafter, there shall be elected by the qualified
8 voters of every county of this State, a county superintendent of schools, who

9 shall have attained to the age of twenty-five years, and shall have had at least
10 twelve months' practical experience as a teacher in public schools, and who
11 shall at the time of his election have a valid certificate of qualification from
12 the Superintendent of Public Instruction in this State, a diploma secured
13 from a State Normal School, upon graduation from the regular course of
14 instruction, or a degree granted to him on graduating from the regular course
15 of academic or scientific instruction, by some chartered college or university.
16 Said superintendent shall perform the duties required by law, and shall enter
17 upon the discharge of the duties of said office on the first Monday of
18 December after said election. He shall, before entering upon the discharge
19 of his duties, take the oath prescribed by the constitution, and execute a
20 bond payable to the State of Illinois, with two or more freeholders as
21 security, to be approved by the county board, or by the judge and clerk of
22 the county court, in penalty of not less than \$12,000, to be increased at the
23 discretion of said board; conditioned that he will faithfully perform all the
24 duties of his office, according to the laws which are, or may be in force, by
25 which bond the obligors shall be bound jointly and severally, and upon
26 which an action or actions may be maintained by the board of trustees of
27 the proper township, for the benefit of any township or fund injured by any
28 breach of duty as county superintendent of schools."

1. Introduced by Mr. Berggren March 9, 1883, and ordered to first reading.
2. First reading March 9, 1883, and referred to committee on Education and Educational Institutions.
3. Reported back with amendments March 23, 1883, passage recommended, and ordered to second reading.
4. Second reading April 25, 1883, and ordered to third reading.
5. Third reading May 17, 1883, reconsidered and referred to Committee on Education and Educational Institutions.
6. Reported back May 17, 1883 with amendment, passage recommended, and ordered to second reading.
7. Second reading May 24, 1873, amended, and ordered to third reading.

A BILL

For An Act to amend section eleven (11) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, and amended by act approved May 31, 1881, and in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section eleven (11) of an act entitled "An act to es-
3 tablish and maintain a system of free schools," approved April 1, 1872, in force
4 July 1, 1872, and amended by act approved May 31, 1881, and in force July 1,
5 1881, be, and it is hereby amended, so as to read as follows:
6 "Section 11. On the Tuesday next after the first Monday in November,
7 1886, and every four years thereafter, there shall be elected by the qualified
8 voters of every county of this State, a county superintendent of schools, who
9 shall have attained to the age of twenty-five years, and shall have had at least
10 twelve months' practical experience as a teacher in public schools, and who
11 shall at the time of his election have a valid certificate of qualification from
12 the Superintendent of Public Instruction in this State, or a diploma secured
13 from a State Normal school, upon graduation from the regular course of in-
14 struction, or a degree granted to him on graduation from the regular course

15 of academic or scientific instruction, by some chartered college or univer-
16 ity. Said superintendent shall perform the duties required by law, and shall
17 enter upon the discharge of the duties of said office on the first Monday of
18 December after said election. He shall, before entering upon the discharge of
19 his duties, take the oath prescribed by the constitution, and execute a bond
20 payable to the State of Illinois, with two or more freeholders as security, to be
21 approved by the county board, or by the judge and clerk of the county court,
22 in penalty of not less than \$12,000, to be increased at the discretion of said
23 board conditioned that he will faithfully perform all the duties of his office.
24 according to the laws which are, or may be in force, by which bond the oblig-
25 ors shall be bound jointly and severally; and upon which an action or actions
26 may be maintained by the board of trustees of the proper township, for the
27 benefit of any township or fund injured by any breach of duty as county super-
28 intendent of schools "

1. Introduced by Mr. Snyder, March 13, 1883, and ordered to first reading.
2. First reading, March 13, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back, May 4, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for correcting defects as to right of way, and assessments in drainage districts, heretofore or hereafter organized, in pursuance of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881, and to provide for payment of indebtedness of any such district found to be illegally organized.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in any drainage district heretofore or hereafter organized under the provisions of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881, when it shall appear that the title of any such drainage district to any part of the right of way of the drains, ditches, embankments and grades, or either of them, within such district, has not been obtained or is defective for any reason whatever, the drainage commissioners of such district may proceed to procure such right of way as near as may be in the manner provided in said act and the

13 amendments thereto, with like effect as if such right of way had been pro-
14 cured at the proper stage in the proceedings of such drainage district.

§ 2. In every drainage district heretofore or hereafter organized, or at-
2 tempted to be organized, under the provisions of said act, and the amend-
3 ments thereto, whenever any tract of land which ought to have been assessed
4 in such drainage district, has escaped assessment, through mistake, omission
5 or otherwise, or whenever any assessment has been or shall be made, which
6 on account of defective notice, description or otherwise, shall be found to be
7 uncollectable, the drainage commissioners of such district shall proceed to
8 assess or re-assess, as the case may be, the tract or tracts of land so escaping
9 assessment, or upon which such defective assessment was made, as near as
10 may be, in the manner provided in said act and the amendments thereto, for
11 original or additional assessments, as the case may be, with like effect as if
12 the original proceedings with reference to such assessment had not been
13 defective, to the end that such tract or tracts shall be made to bear a
14 proper share of the cost of the work done or proposed to be done in such
15 district:

§ 3. Whenever any drainage district heretofore or hereafter attempted to be
2 organized under the provisions of said act and the amendments thereto, shall
3 be adjudged illegally organized by a final judgment or decree of any court
4 of record of competent jurisdiction, so as to annul or dissolve the same, or
5 defeat the purpose of such attempted organization, and debts and obligations
6 have been contracted in good faith within such district, by the drainage
7 commissioners thereof, in pursuance of such attempted organization, it shall
8 be unlawful for the land owners, or any portion of them, within such dis-
9 trict, directly or indirectly, either by the organization of a new district or
10 otherwise, to complete or utilize the work done within such district, without
11 assuming and becoming liable to pay a just proportion of such unpaid debts
12 and obligations, not exceeding however the value of the work so utilized.
13 And any person or persons or new drainage district incurring the liability
14 aforesaid may be sued either in law or equity, in any court of competent
15 jurisdiction by any person or persons in whose favor such unpaid debts or
16 obligations exist.

§ 4. When any such drainage district shall be adjudged illegally organized as provided in the preceding section, it shall be lawful for the land owners within such district, or any portion of them, to join the organization of a new drainage district, including therein, if desirable, lands not included in such old district, for the purpose of completing or extending as the case may be, the work or any portion thereof done or proposed to be done in such old district; but where work has been done and debts or obligations contracted in good faith, as provided in section three in such old districts, the organization of such new drainage district shall be taken as an implied agreement to pay all or a just proportion, as the case may be, of such unpaid debts and obligations, not exceeding, however, the value of the work utilized by such new drainage district: *Provided, however,* that the drainage commissioners of such new district shall take into consideration any assessment shown to have been paid upon any tract of land within such old district, making an equitable deduction from the new assessment on such tract on account of the payment of such former assessment thereon, to the end that each tract of land within such new district shall bear an equality of the burdens and benefits thereof.

§ 5. That in any drainage district heretofore or hereafter organized under said act and the amendments thereto, when the proposed work of such drainage district has been completed and fully paid for, and any moneys remain in the hands of the drainage commissioners or the treasurer of such district, such unexpended moneys shall be refunded to the respective parties from whom the same have been collected, and in case of a refusal to refund the same the parties entitled thereto may recover the amount due them respectively in an action of debt or assumpsit against the drainage commissioners of such district, or may sue such treasurer on his official bond.

1. Reported to House June 12, 1883.
2. First reading June 12, 1883, and ordered to second reading.

A BILL

For An Act to provide for correcting defects as to right of way, and assessments in drainage districts, heretofore or hereafter organized, in pursuance of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881, and to provide for payment of indebtedness of any such district found to be illegally organized.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly: That in any drainage district heretofore or hereafter organized under the provisions of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881, when it shall appear that the title of any such drainage district to any part of the right of way of the drains, ditches, embankments and grades, or either of them, within such district, has not been obtained or is defective for any reason whatever, the drainage commissioners of such district may proceed to secure such right of way as near as may be in the manner provided in said act and the amendments thereto, with like effect as if such right of way had been procured at the proper stage in the proceedings of such drainage district.

1. Introduced by Mr. Snyder, March 13, 1883, and ordered to first reading.
2. First reading March 13, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back April 6, 1883, with amendments, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections thirty-two (32) and sixty-eight (68), of an act, entitled "An act to provide for the organization of Drainage Districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That sections thirty-two (32) and sixty-eight (68), of an act, entitled "An act to pro-
3 vide for the organization of Drainage Districts, and to provide for the construction, maintenance
4 and repair of drains and ditches, by special assessments on the property benefited thereby,"
5 approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24,
6 1881, be amended, so as to read as follows:

7 "Section 32. Whenever any assessments heretofore or hereafter made, shall be inadequate to
8 complete the work proposed in such drainage district, or when additional assessments shall be
9 necessary for maintenance and repair thereof, each tract of land shall be assessed such propor-
10 tion of the additional cost as its original assessment bore to the total original assessment, and
11 such additional assessment shall be made in the same manner as the original assessment was
12 made; and in all subsequent matters in relation thereto, the same proceedings shall be had as is
13 required in regard to original assessments: *Provided, however,* that where, for any reason what-
14 ever, manifest injustice would result to the owner of any tract of land, on account of any such
15 additional assessment thereon being made in the proportion above provided, it shall be lawful to
16 change or vary the proportion of such additional assessment so as to make the same just and
17 equitable.

18 "Section 68. The commissioners shall receive two dollars per day, the clerk and members of
 19 boards of appeals each one and one-half dollars per day, and if a civil engineer shall be em-
 20 ployed, not to exceed five dollars per day, for the time actually employed in the discharge of
 21 the duties prescribed by this act; the compensation to be paid by the district for which the
 22 service may be rendered. Their accounts for services shall be rendered under oath and filed
 23 with the clerk, and kept by him with and among the records of his office. The treasurer shall
 24 receive, as his compensation, two per cent. of the funds collected by him, and one per cent. on
 25 the amount paid him by the county treasurer. The county treasurer shall be entitled, as his
 26 compensation, to two per cent. on the amount collected by him on delinquent assessments.

AMENDMENTS TO SENATE BILL NO. 393, RECOMMENDED BY THE COMMITTEE ON AGRICULTURE AND DRAINAGE.

Amend by striking out section sixty-eight (68).

3 Amend by inserting the following:

3 "Section 53. So soon as a special drainage district has been organized, it shall be the duty
 4 of the county clerk, who shall be the clerk of the commissioners thereof, to give notice by
 5 posting written or printed notices in at least six public places in said district, that on a day
 6 therein named and at an hour not later than 2 o'clock p. m., not less than ten days from the
 7 date of notice at a place, in said notice designated, an election will be held, for the purpose of
 8 electing three draining commissioners for said district. Whenever a vacancy or vacancies shall
 9 occur in the office of commissioner, the clerk shall give like notice as hereinbefore provided,
 10 that a special election will be held to fill such vacancy or vacancies.

11 Amend title and section 1, by striking out the words and figures "sixty-eight (68)," and insert
 12 in lieu thereof "fifty-three (53)."

1. Introduced by Mr. Snyder, March 13, 1883, read first time, and referred to Committee on Agriculture and Drainage.
2. Reported back with amendments, passage recommended, and ordered to second reading.
3. Second reading April 24, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend sections thirty-two (32) and fifty-three (53) of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections thirty-two (32) and fifty-three (53) of an act
3 entitled "An act to provide for the organization of drainage districts, and to
4 provide for the construction, maintenance and repair of drains and ditches,
5 by special assessments on the property benefited thereby," approved May 29,
6 1879, in force July 1, 1879, as amended by act approved and in force May 24,
7 1881, be amended, so as to read as follows:

8 "Section 32. Whenever any assessments heretofore or hereafter made, shall
9 be inadequate to complete the work proposed in such drainage district, or
10 when additional assessments shall be necessary for the maintenance and repair
11 thereof, each tract of land shall be assessed such proportion of the addi-
12 tional cost as its original assessment bore to the total original assessment,
13 and such additional assessment shall be made in the same manner as the
14 original assessment was made; and in all subsequent matters in relation
15 thereto, the same proceedings shall be had as is required in regard to origi-

16 nal assessments: *Provided, however,* that where, for any reason whatever,
17 manifest injustice would result to the owner of any tract of land, on account
18 of any such additional assessment thereon being made in the proportion
19 above provided, it shall be lawful to change or vary the proportion of such
20 additional assessment so as to make the same just and equitable.

21 "Section 53. So soon as a special drainage district has been organized, it
22 shall be the duty of the county clerk, who shall be the clerk of the commis-
23 sioners thereof, to give notice by posting written or printed notices in at
24 least six public places in said district, that on a day therein named and at
25 an hour not later than 2 o'clock p. m., not less than ten days from the date
26 of notice at a place, in said notice designated, an election will be held, for
27 the purpose of electing three draining commissioners for said district. When-
28 ever a vacancy or vacancies shall occur in the office of commissioner, the
29 clerk shall give like notice as hereinbefore provided, that a special election
30 will be held to fill such vacancy or vacancies."

1. Introduced by Mr. Snyder, March 13, 1883, and ordered to first reading.
2. First reading, March 13, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back, May 4, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for correcting defects as to right of way, and assessments in drainage districts, heretofore or hereafter organized, in pursuance of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881, and to provide for payment of indebtedness of any such district found to be illegally organized.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in any drainage district heretofore or hereafter organized under the provisions of an act entitled "An act to provide for the organization of drainage districts, and to provide for the construction, maintenance and repair of drains and ditches, by special assessments on the property benefited thereby," approved May 29, 1879, in force July 1, 1879, as amended by act approved and in force May 24, 1881, when it shall appear that the title of any such drainage district to any part of the right of way of the drains, ditches, embankments and grades, or either of them, within such district, has not been obtained or is defective for any reason whatever, the drainage commissioners of such district may proceed to procure such right of way as near as may be in the manner provided in said act and the

13 amendments thereto, with like effect as if such right of way had been pro-
 14 cured at the proper stage in the proceedings of such drainage district.

§ 2. In every drainage district heretofore or hereafter organized, or at-
 2 tempted to be organized, under the provisions of said act, and the amend-
 3 ments thereto, whenever any tract of land which ought to have been assessed
 4 in such drainage district, has escaped assessment, through mistake, omission
 5 or otherwise, or whenever any assessment has been or shall be made, which
 6 on account of defective notice, description or otherwise, shall be found to be
 7 uncollectable, the drainage commissioners of such district shall proceed to
 8 assess or re-assess, as the case may be, the tract or tracts of land so escaping
 9 assessment, or upon which such defective assessment was made, as near as
 10 may be, in the manner provided in said act and the amendments thereto, for
 11 original or additional assessments, as the case may be, with like effect as if
 12 the original proceedings with reference to such assessment had not been
 13 defective, to the end that such tract or tracts shall be made to bear a
 14 proper share of the cost of the work done or proposed to be done in such
 15 district:

§ 3. Whenever any drainage district heretofore or hereafter attempted to be
 2 organized under the provisions of said act and the amendments thereto, shall
 3 be adjudged illegally organized by a final judgment or decree of any court
 4 of record of competent jurisdiction, so as to annul or dissolve the same, or
 5 defeat the purpose of such attempted organization, and debts and obligations
 6 have been contracted in good faith within such district, by the drainage
 7 commissioners thereof, in pursuance of such attempted organization, it shall
 8 be unlawful for the land owners, or any portion of them, within such dis-
 9 trict, directly or indirectly, either by the organization of a new district or
 10 otherwise, to complete or utilize the work done within such district, without
 11 assuming and becoming liable to pay a just proportion of such unpaid debts
 12 and obligations, not exceeding however the value of the work so utilized.
 13 And any person or persons or new drainage district incurring the liability
 14 aforesaid may be sued either in law or equity, in any court of competent
 15 jurisdiction by any person or persons in whose favor such unpaid debts or
 16 obligations exist.

1. Introduced by Mr. Shumway, March 13, 1883, and ordered to first reading.
2. First reading March 13, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section fifty (50), of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section fifty (50), of an act entitled "An act to revise the law in relation to
3 criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the same is hereby
4 amended, to read as follows:

5 "Section 50. Whoever shall be guilty of cruelty to any animal in any of the ways mentioned
6 in this section shall be fined not less than \$3, nor more than \$200; viz:

7 *First*—By overloading, overdriving, overworking, cruelly beating, torturing, tormenting,
8 mutilating or cruelly killing any animal, or causing or knowingly allowing the same to be done.

9 *Second*—By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or
10 knowingly allowing the same to be done.

11 *Third*—By unnecessarily failing to provide any animal in his charge or custody, as owner
12 or otherwise, with proper food, drink and shelter.

13 *Fourth*—By abandoning any old, maimed, infirm, sick or disabled animal.

14 *Fifth*—By carrying or driving, or causing to be carried or driven or kept, any animal in an
15 unnecessarily cruel manner.

16 *Sixth*—By "spearing" any animal or animals while engaged in slaughtering the same, and not
17 bleeding said animal or animals within five minutes after such spearing is done.



1. Introduced by Mr. Shumway, March 13, 1883, read first time, and referred to Committee on Agriculture and Drainage.
2. Reported back, passage recommended, and ordered to second reading.
3. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section fifty (50), of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section fifty (50), of an act entitled "An act to re-
3 vise the law in relation to criminal jurisprudence," approved March 27, 1874,
4 in force July 1, 1874, be and the same is hereby amended, to read as follows:

5 Section 50. Whoever shall be guilty of cruelty to any animal in any of
6 the ways mentioned in this section, shall be fined not less than \$3, nor more
7 than \$200, viz:

8 *First*—By overloading, overdriving, overworking, cruelly beating, torturing,
9 tormenting, mutilating or cruelly killing any animal, or causing or knowingly
10 allowing the same to be done.

11 *Second*—By cruelly working any old, maimed, infirm, sick or disabled
12 animal, or causing or knowingly allowing the same to be done.

13 *Third*—By unnecessarily failing to provide any animal in his charge or
14 custody, as owner or otherwise, with proper food, drink and shelter.

15 *Fourth*—By abandoning any old, maimed, infirm, sick or disabled animal.

16 *Fifth*—By carrying or driving, or causing to be carried or driven or kept,
17 any animal in an unnecessarily cruel manner.

18 *Sixth*—By "spearing" any animal or animals while engaged in slaughtering

19 the same, and not bleeding said animal or animals within five minutes after
20 such spearing is done.

21 *Seventh*—By shooting, killing or maiming any pigeon, dove or fowl of any
22 kind, for sport, pastime, gain or as a test of skill, which shall or may be
23 exposed from a trap or other device.

1. Introduced by Mr. Shumway, March 13, 1883, and ordered to first reading.
2. First reading March 13, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back April 24, 1883, passage recommended, and ordered to second reading.
4. Second reading April 24, 1883, amended and ordered to third reading.
5. Reconsidered May 3, 1883, and ordered to second reading.
6. Second reading May 4, 1883, and ordered to a third reading.

A BILL

For An Act to amend section fifty (50,) of an act, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section fifty (50) of an act, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be, and the same is hereby amended, to read as follows:

"Section 50. Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this section, shall be fined not less than \$3, nor more than \$200; viz:

First—By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating or cruelly killing any animal, or causing, or knowingly allowing the same to be done.

Second—By cruelly working any old maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

Third—By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink and shelter.

Fourth—By abandoning any old, maimed, infirm, sick or disabled animal.

Fifth—By carrying or driving, or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner.

18 *Sixth*—By "spearing" any animal or animals while engaged in slaughtering
19 the same, and not bleeding said animal or animals within five minutes after
20 such spearing is done.

21 *Seventh*—By leaving or allowing any crippled or disabled animal or animals
22 to remain longer than four hours on any platform, or in, or upon any chute
23 at any railway station, or other place used for loading or discharging cattle
24 or other animals."

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1. Introduced by Mr. Duncan, March 13, 1883, and ordered to first reading.
 2. First reading March 13, 1883, and referred to Committee on Judiciary.
 3. Reported back April 25, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to amend an act entitled "An act requiring compensation for causing death by wrongful act, neglect or default," approved February 12, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the act entitled "An act requiring compensation for causing death by wrong-

3 ful act, neglect or default," approved February 12, 1883, be, and the same is hereby amended, by

4 adding the following section thereto:

5 "Section 3. In actions brought under the provisions of this act, it shall not be necessary for

6 the plaintiff to allege or prove that the person whose death was caused by the wrongful act,

7 neglect or default of the defendant exercised ordinary care to avoid injury, but if the want of

8 ordinary care on the part of such person be relied upon as a defense, the burden of proving it

9 shall be upon the defendant."

1. Introduced by Mr. Clough, March 15, 1883, and ordered to a first reading.
2. First reading March 15, 1883, and referred to the Committee on Military Affairs.
3. Reported back March 16, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections 3, 4, 5 and 6, of article 1; section 5, of article 2; sections 1 and 2, of article 8, and section 1, of article 10, of an act entitled "An act to provide for the organization of the State Militia, and entitled 'The Military Code of Illinois,'" approved May 28, 1879, in force July, 1, 1879, and to repeal sections 2 and 3, of article X (10).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections 3, 4, 5 and 6, of article 1; section 5, of
3 article 2; sections 1 and 2, of article 8, and section 1, of article 10, of an act
4 entitled "An act to provide for the organization of the State militia, and
5 entitled "The Military Code of Illinois,'" approved May 28, 1879, in force
6 July 1, 1879, be amended so as to read as follows:

7 "Section 3. The active militia shall be designated as the 'Illinois National
8 Guard,' which shall consist of not more than eight thousand men and officers,
9 to be divided into not more three (3) brigades, each to be commanded by a
10 brigadier general, and shall be recruited by volunteer enlistments. The
11 commander-in-chief shall assign all regiments, battalions and companies to
12 such brigades as he shall think proper. All enlistments therein shall be
13 for three years, and made by signing enlistment papers, prescribed by the
14 Adjutant General, and taking the following oath or affirmation, which may
15 be administered by the enlisting officer, to-wit: 'You do solemnly swear (or
16 affirm) that you will bear true allegiance to the United States and the

17 State of Illinois, and that you will support the constitution thereof; that
18 you will serve the State of Illinois faithfully, in its military service, for
19 the term of three years, unless sooner discharged, or you cease to be a citi-
20 zen thereof; that you will obey the orders of the commander-in-chief and
21 such officers as may be placed over you, and the laws governing the mili-
22 tary forces of Illinois, so help you, God.' This oath may be administered
23 by any commissioned officer, or, in his absence, by any officer authorized by
24 law to administer oaths.

25 "Section 4. The staff of the Commander-in-Chief shall consist of an Adju-
26 tant General, with rank of Brigadier General, who shall be *ex-officio* chief of
27 the staff, Commissary General and Quartermaster General, an Inspector
28 General, a Surgeon General, a Judge Advocate General, and Inspector of
29 rifle practice, each with the rank of colonel, and one aid from each con-
30 gressional district, each with rank of colonel. *Provided*, That no
31 employee of the State or a county, while drawing his salary as such,
32 shall receive any pay by reason of any service in the militia of
33 the State. The Adjutant General shall issue and transmit all orders of the
34 Commander-in-Chief with reference to the militia or military organizations
35 of the State, and shall keep a record of all officers commissioned by the
36 Governor, and of all general and special orders and regulations, and of all such
37 matters as pertain to the organization of the State militia and the Illinois
38 National Guard, and perform the duties of an Adjutant, Commissary and Quar-
39 termaster General. He shall have charge of the State arsenal and grounds,
40 and shall issue all ordnance and ordnance stores, and camp and garrison
41 equipage, on the order of the Commander-in-Chief. He may appoint, with
42 the approval of the Governor, an Ordnance Sergeant, at a salary of not
43 more than eight hundred dollars per annum, who shall, under the direction
44 of the Adjutant General, aid and assist him in the discharge of his duties.
45 The Adjutant General shall receive for his services the sum of three thou-
46 sand dollars per annum. He shall have charge of and carefully preserve
47 the colors, flags, guidons and military trophies of war belonging to the
48 State, and shall not allow the same to be loaned out or removed from their

49 proper place of deposit. He shall furnish, at the expense of the State, all
 50 proper blank books, blanks and forms, and such military instruction books
 51 as shall be approved by the Commander-in-Chief. He shall also, on or
 52 before the first day of October next preceding the regular session of the
 53 General Assembly, make out a full and detailed account of all the transac-
 54 tions of his office, with the expenses of the same for the preceding two
 55 years, and such other matters as shall be required by the Governor, and
 56 shall also report at such other times as the Governor may require. He
 57 shall reside at the State capital, and shall hold his office during the pleas-
 58 ure of the Governor.

59 "Section 5. The generals of brigades shall be appointed by the Governor,
 60 and shall hold their offices until removed by him or by court-martial or
 61 resignation. On recommendation of the General of Brigades, the Governor
 62 shall appoint and commission the brigade staff, as follows: Assistant Adju-
 63 tant General, with rank of Colonel; Assistant Inspector General, with rank
 64 of Lieutenant Colonel; Surgeon, with rank of Lieutenant Colonel; Judge
 65 Advocate, with rank of Major; Inspector of Rifle Practice, with rank of
 66 Major; Quartermaster, with rank of Captain; Commissary, with rank of
 67 Captain, and two (2) Aides-de-Camp, with rank of Captain.

68 "Section 6. A regiment of infantry shall consist of not less than eight
 69 and not more than ten companies. A battalion shall consist of not less
 70 than two and not more than seven companies. A battalion of less than
 71 four companies shall be entitled to a Major, and when it has been aug-
 72 mented to four or more companies it shall be entitled to a Lieutenant Col-
 73 onel. The Colonel, Lieutenant Colonel and Major of all battalions and
 74 regiments shall be elected by the line officers thereof. The regimental staff
 75 shall consist of a Surgeon, with the rank of Major; Assistant Surgeon,
 76 with rank of Captain; Inspector of Rifle Practice, with rank of Captain;
 77 Chaplain, with rank of Captain; Adjutant, with rank of Captain; Quarter-
 78 master, with rank of Captain, who shall be appointed and commissioned by
 79 the Governor on recommendation of the Regimental Commander. The
 80 battalion staff shall consist of the same officers, except Surgeon, and shall

81 be appointed and commissioned on recommendation of the Battalion Com-
 82 mander. The commander of a regiment or battalion shall appoint, by war-
 83 rant, a Sergeant Major, Quartermaster Sergeant, Commissary Sergeant,
 84 Hospital Steward, Color Sergeant, Ordnance Sergeant, Drum Major and two
 85 Principal Musicians, who shall constitute a non-commissioned staff. All field
 86 officers shall hold their offices for three years. The commissions of all staff
 87 officers shall expire when the officer nominating them, or his successor,
 88 shall make new nominations to their respective offices, and such nomina-
 89 tions shall be confirmed by the Commander-in-Chief. A battalion of cav-
 90 alry shall consist of not more than four nor less than two companies, of
 91 not less than fifty enlisted men in each company; and such battalion shall
 92 be entitled to a Major, and if over four companies should at any time be
 93 deemed necessary by the Governor, it shall be called a regiment, and be
 94 entitled, also, to a Lieutenant Colonel, with the same staff officers as a bat-
 95 talion of infantry, with the addition of a Commissary, with rank as First
 96 Lieutenant. The non-commissioned staff of a battalion of cavalry shall
 97 consist of a Sergeant Major, Quartermaster Sergeant, Commissary Sergeant,
 98 Hospital Steward, Color Sergeant, Chief Bugler, Farrier Sergeant, and Sad-
 99 dler Sergeant, who shall be appointed in the same manner as provided for
 100 a battalion of infantry.

(ARTICLE II.)

101 "Section 5. Every officer, non-commissioned officer, musician and private
 102 of the Illinois National Guard shall be held to duty for the full term of
 103 three years, unless regularly discharged, for good and sufficient cause, by
 104 the commander of his regiment, battalion or battery, approved by the brig-
 105 ade commander, or by order of the Commander-in-Chief. In every case of
 106 the discharge of an enlisted man by a commander, as aforesaid, the com-
 107 manding officer of his company shall certify to the facts on which the ap-
 108 plication is based, through intermediate commanders, to the Adjutant Gen-
 109 eral, for the approval or disapproval of the Commander-in-Chief; and each
 110 commander shall endorse thereon his approval or disapproval. In case of
 111 application for discharge or certificate of discharge for disability, such ap-

112 plication shall take the same course, and shall also have the certificate of
 113 the proper medical officers endorsed thereon.

(ARTICLE VIII.)

114 "Section 1. All officers of the Illinois National Guard shall receive the
 115 same pay as enlisted men, and no more: *Provided*, that when in actual
 116 service for the suppression of riot and the enforcement of the laws, and
 117 when on duty under orders from the commander-in-chief, the officers of
 118 the Illinois National Guard shall receive the same pay provided by law for
 119 officers of the United States army of like grade for each day's service
 120 actually so performed, said payments to be made on rolls prescribed by the
 121 adjutant-general.

122 "Section 2. The enlisted men of the Illinois National Guard shall receive
 123 one dollar (\$1) for each day's service, with transportation and necessary
 124 rations at any parade or encampment authorized by law in article 4, section
 125 2 of this act, and in going to and returning from the same, and while
 126 under any orders of the commander-in-chief, or other proper authority for
 127 the purposes, and in the manner herein provided; and each mounted, non-
 128 commissioned, musician and private shall receive, in addition to the above,
 129 one dollar (\$1) per day, and forage for his horse; and the commander of
 130 each battery shall be allowed one dollar (\$1) per day, and forage for each
 131 horse necessary for moving the same: *Provided*, nothing in this act shall
 132 be so construed as to allow pay to officers or men for more than four days
 133 during any one year, except during a time of riot, insurrection or invasion,
 134 or while on duty under orders from the commander-in-chief.

(ARTICLE X.)

135 "Section 1. There shall be levied and collected annually, in each county
 136 within this State, at the same time and in the same manner that all State
 137 and county taxes are levied and collected, one-seventh of a mill on each
 138 dollar of taxable property in this State, situate in said county, to be set
 139 apart as a military fund of this State. Said fund shall annually be
 140 divided, distributed and paid by the Governor and Adjutant General to

141 the several regiments, battalions, companies and batteries, upon requisition
142 of the commanding officer, accompanied by the proper vouchers, for the
143 payment of armory, rent, fuel, lights, insurance, expenses of court martial,
144 clothing, equipments, transportation, quartermaster's and medical supplies,
145 camp and garrison equipage, encampments, subsistence and pay of officers
146 and men, and for necessary expenses of brigade, regimental and battalion
147 headquarters."

§ 2. And be it further enacted that sections 2 and 3, of article 10, are
2 hereby repealed.

1. Introduced by Mr. Clough, March 15, 1883, and ordered to a first reading.
2. First reading March 15, 1883, and referred to the Committee on Military Affairs.
3. Reported back March 16, 1883, passage recommended, and ordered to second reading.
4. Second reading April 17, 1883, amended and ordered to third reading.

A BILL

For An Act to amend sections 3, 4, 5 and 6, of article 1; section 5, of article 2; sections 1 and 2, of article 8, and section 1, of article 10, of an act entitled "An act to provide for the organization of the State Militia, and entitled 'The Military Code of Illinois,'" approved May 28, 1879, in force July, 1, 1879, and to repeal sections 2 and 3, of article X (10).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That sections 3, 4, 5 and 6, of article 1; section 5, of
3 article 2; sections 1 and 2, of article 8, and section 1, of article 10, of an act
4 entitled "An act to provide for the organization of the State Militia, and
5 entitled 'The Military Code of Illinois,'" approved May 28, 1879, in force
6 July 1, 1879, be amended, so as to read as follows:
7 "Section 3. The active militia shall be designated as the 'Illinois National
8 Guard,' which shall consist of not more than five thousand men and officers,
9 and shall constitute two brigades, each to be commanded by a briga-
10 dier general, and shall be recruited by voluntary enlistments. The com-
11 mander-in-chief shall assign all regiments, battalions and companies
12 to such brigades. All enlistments therein shall be for three years,
13 and made by signing enlistment papers, prescribed by the Adjutant
14 General, and taking the following oath or affirmation, which may be
15 administered by the enlisting officer, to wit: 'You do solemnly swear (or
16 affirm) that you will bear true allegiance to the United States and the

17 State of Illinois, and that you will support the constitution thereof; that
 18 you will serve the State of Illinois faithfully, in its military service, for
 19 the term of three years, unless sooner discharged, or you cease to be a citi-
 20 zen thereof; that you will obey the orders of the commander-in-chief and
 21 such officers as may be placed over you, and the laws governing the mili-
 22 tary forces of Illinois, so help you, God.' This oath may be administered
 23 by any commissioned officer, or, in his absence, by any officer authorized by
 24 law to administer oaths.

25 "Section 4. The staff of the Commander-in-Chief shall consist of an Adju-
 26 tant General, with rank of Brigadier General, who shall be *ex officio* chief of
 27 the staff, Commissary General and Quartermaster General, an Inspector
 28 General, a Surgeon General, a Judge Advocate General, and Inspector of
 2 rifle practice, each with the rank of colonel, and one aid from each con-
 30 gressional district, each with rank of colonel: *Provided*, that no
 31 employee of the State or a county, while drawing his salary as such,
 32 shall receive any pay by reason of any service in the militia of
 33 the State. The Adjutant General shall issue and transmit all orders of the
 34 Commander-in-Chief with reference to the militia or military organizations
 35 of the State, and shall keep a record of all officers commissioned by the
 36 Governor, and of all general and special orders and regulations, and of all
 37 such matters as pertain to the organization of the State militia and the Illi-
 38 nois National Guard. He shall have charge of the State arsenal and grounds,
 39 and shall issue all ordnance and ordnance stores, and camp and garrison
 40 equipage, on the order of the Commander-in-Chief. He may appoint, with
 41 the approval of the Governor, an Ordnance Sergeant, at a salary of not
 42 more than eight hundred dollars per annum, who shall, under the direction
 43 of the Adjutant General, aid and assist him in the discharge of his duties.
 44 The Adjutant General shall receive for his services the sum of twenty-five
 45 hundred dollars per annum. He shall have charge of and carefully preserve
 46 the colors, flags, guidons and military trophies of war belonging to the
 47 State, and shall not allow the same to be loaned out or removed from their
 48 proper place of deposit. He shall furnish, at the expense of the State, all

49 proper blank books, blanks and forms, and such military instruction books
 50 as shall be approved by the Commander-in-Chief. He shall also, on or
 51 before the first day of October next preceding the regular session of the
 52 General Assembly, make out a full and detailed account of all the transac-
 53 tions of his office, with the expenses of the same for the preceding two
 54 years, and such other matters as shall be required by the Governor, and
 55 shall also report at such other times as the Governor may require. He
 56 shall reside at the State capital, and shall hold his office during the pleae-
 57 ure of the Governor.

58 "Section 5. The generals of brigades shall be appointed by the Governor,
 59 and shall hold their offices until removed by him or by court-martial or
 60 resignation. On recommendation of the General of Brigades, the Governor
 61 shall appoint and commission the brigade staff, as follows: Assistant Adju-
 62 tant General, with rank of Colonel; Assistant Inspector General, with rank
 63 of Lieutenant Colonel; Surgeon, with rank of Lieutenant Colonel; Judge
 64 Advocate, with rank of Major; Inspector of Rifle Practice, with rank of
 65 Major; Quartermaster, with rank of Captain; Commissary, with rank of
 66 Captain, and two (2) Aides-de-Camp, with rank of Captain.

67 "Section 6. A regiment of infantry shall consist of not less than eight
 68 and not more than ten companies. A battalion shall consist of not less
 69 than two and not more than seven companies. A battalion of less than
 70 four companies shall be entitled to a Major, and when it has been aug-
 71 mented to four or more companies it shall be entitled to a Lieutenant Col-
 72 onel. The Colonel, Lieutenant Colonel and Major of all battalions and
 73 regiments shall be elected by the line officers thereof. The regimental staff
 74 shall consist of a Surgeon, with the rank of Major; Assistant Surgeon,
 75 with rank of Captain; Inspector of Rifle Practice, with rank of Captain;
 76 Chaplain, with rank of Captain; Adjutant, with rank of Captain; Quarter-
 77 master, with rank of Captain, who shall be appointed and commissioned by
 78 the Governor on recommendation of the Regimental Commander. The
 79 battalion staff shall consist of the same officers, except Surgeon, and shall
 80 be appointed and commissioned on recommendation of the Battalion Com-

81 mander. The commander of a regiment or battalion shall appoint, by war-
 82 rant, a Sergeant Major, Quartermaster Sergeant, Commissary Sergeant,
 83 Hospital Steward, Color Sergeant, Ordnance Sergeant, Drum Major and two
 84 Principal Musicians, who shall constitute a non-commissioned staff. All field
 85 officers shall hold their offices for three years. The commissions of all staff
 86 officers shall expire when the officer nominating them, or his successor,
 87 shall make new nominations to their respective offices, and such nominations
 88 shall be confirmed by the Commander-in-Chief. A battalion of cavalry shall
 89 consist of not more than four nor less than two companies, of not less than
 90 fifty enlisted men in each company; and such battalion shall be entitled to a
 91 Major, and if over four companies should at any time be deemed necessary by
 92 the Governor, it shall be called a regiment, and be entitled, also, to a Lieutenant
 93 Colonel, with the same staff officers as a battalion of infantry, with the addi-
 94 tion of a Commissary, with rank as First Lieutenant. The non-commissioned
 95 staff of a battalion of cavalry shall consist of a [Sergeant Major, Quartermas-
 96 ter Sergeant, Commissary Sergeant, Hospital [Stewart, Color Sergeant, Chief
 97 Bugler, Farrier Sergeant, and Saddler Sergeant, who shall] be appointed in the
 98 same manner as provided for a battalion of Infantry.

(ARTICLE II.)

99 "Section 5. Every officer, non-commissioned officer, musician and private
 100 of the Illinois National Guard shall be held to duty for the full term of
 101 three years, unless regularly discharged, for good and sufficient cause, by
 102 the commander of his regiment, battalion for battery, approved by the brigade
 103 commander, or by order of the Commander-in-Chief. In every case of the
 104 discharge of an enlisted man by a commander, as aforesaid, the commanding
 105 officer of his company shall certify to the facts on which the application is
 106 based, through intermediate commanders, to the Adjutant General, for the
 107 approval or disapproval of the Commander-in-Chief; and each commander
 108 shall endorse thereon his approval or disapproval. In case of application for
 109 discharge or certificate of discharge for disability, such application shall
 110 take the same course, and shall also have the certificate of the proper
 111 medical officers endorsed thereon.

(ARTICLE VIII.)

112 "Section 1. All officers of the Illinois National Guard shall receive the
113 same pay as enlisted men, and no more: *Provided*, that when in actual ser-
114 vice for the suppression of riot and the enforcement of the laws, and when
115 on duty under orders from the Commander-in-Chief, the officers of the
116 Illinois National Guard shall receive the same pay provided by law for
117 officers of the United States army of like grade for each day's service
118 actually so performed, said payments to be made on rolls prescribed by the
119 Adjutant-General.

120 "Section 2. The enlisted men of the Illinois National Guard shall receive
121 one dollar (\$1) for each day's service, with transportation and necessary
122 rations at any parade or encampment authorized by law in article 4, section
123 2 of this act, and in going to and returning from the same, and while under
124 any orders of the Commander-in-Chief, or other proper authority for the
125 purposes, and in the manner herein provided; and each mounted, non-com-
126 missioned, musician and private shall receive, in addition to the above, one
127 dollar (\$1) per day, and forage for his horse; and the commander of each
128 battery shall be allowed one dollar (\$1) per day, and forage for each horse
129 necessary for moving the same: *Provided*, nothing in this act shall be so
130 construed as to allow pay to officers or men for more than four days during
131 any one year, except during a time of riot, insurrection or invasion.

(ARTICLE X.)

132 "Section 1. The General Assembly shall appropriate such a sum, not
133 exceeding \$75,000, as may be deemed necessary to carry out the provisions of
134 this act, to be set apart as a military fund of this State. Said fund shall
135 annually be divided, distributed and paid by the Governor and Adjutant
136 General to the several regiments, battalions, companies and batteries, upon
137 requisition of the commanding officer, accompanied by the proper vouchers,
138 for the payment of armory rent, fuel, lights, insurance, expenses of court
139 martial, clothing, equipments, transportation, quartermaster's and medical
140 supplies, camp and garrison equipage, encampments, subsistence and pay of

141 officers and men, and for necessary expenses of brigade, regimental and bat-
142 talion headquarters: *Provided*, that there shall not be allowed to any brigade
143 headquarters to exceed \$500, and to regimental or battalion headquarters
144 not to exceed \$200.

§ 2. *And, be it further enacted*, that sections 2 and 3 of article 10, are hereby
2 repealed.

1. Introduced by Mr. Clough, March 15, 1883, and ordered to first reading.
2. First reading March 15, 1883, and referred to Committee on Military Affairs.
3. Reported back March 16, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 17, 1883, amended, and ordered to third reading.
5. Reconsidered May 4, 1883, ordered to second reading.
6. Second reading May 4, 1883, ordered to a third reading.

A BILL

For An Act to amend sections 3, 4, 5 and 6, of article 1; section 5, of article 2; sections 1 and 2, of article 8, and section 1, of article 10, of an act entitled "An act to provide for the organization of the State Militia, and entitled "The Military Code of Illinois," approved May 28, 1879, in force July 1., 1879, and to repeal sections 2 and 3, of article X (10).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections 3, 4, 5 and 6, of article 1; section 5, of
3 article 2; sections 1 and 2, of article 8, and section 1, of article 10, of an act
4 entitled "An act to provide for the organization of the State Militia, and
5 entitled "The Military Code of Illinois," approved May 28, 1879, in force
6 July 1, 1879, be amended, so as to read as follows:

7 "Section 3. The active militia shall be designated as the 'Illinois National
8 Guard,' which shall consist of not more than five thousand men and officers,
9 and shall constitute two brigades, each to be commanded by a brigadier
10 general, and shall be recruited by voluntary enlistments. The commander-
11 in-chief shall assign all regiments, battalions and companies to such brigades.
12 All enlistments therein shall be for three years, and made by signing enlist-
13 ment papers, prescribed by the Adjutant General, and taking the following
14 oath or affirmation, which may be administered by the enlisting officer,
15 to-wit: "You do solemnly swear (or affirm) that you will bear true allegiance

16 to the United States and the State of Illinois, and that you will support the
 17 constitution thereof; that you will serve the State of Illinois faithfully, in
 18 its military service, for the term of three years, unless sooner discharged, or
 19 you cease to be a citizen thereof; that you will obey the orders of the com-
 20 mander-in-chief and such officers as may be placed over you, and the laws
 21 governing the military forces of Illinois, so help you, God.' This oath may
 22 be administered by any commissioned officer, or, in his absence, by any officer
 23 authorized by law to administer oaths.

24 "Section 4. The staff of the Commander-in-Chief shall consist of an Adju-
 25 tant General, with rank of Brigadier General, who shall be *ex-officio* chief of
 26 the staff, Commissary General and Quartermaster General, an Inspector
 27 General, a Surgeon General, a Judge Advocate General, and Inspector of
 28 rifle practice, each with the rank of colonel, and one aid from each con-
 29 gressional district, each with the rank of colonel. *Provided*, that no
 30 employee of the State or a county, while drawing his salary as such, shall
 31 receive any pay by reason of any service in the militia of the State. The
 32 Adjutant General shall issue and transmit all orders of the Commander-in-
 33 Chief with reference to the militia or military organizations of the State,
 34 and shall keep a record of all officers commissioned by the Governor, and
 35 of all general and special orders and regulations, and of all such matters as
 36 pertain to the organization of the State militia and the Illinois National
 37 Guard. He shall have charge of the State arsenal and grounds, and shall
 38 receive and issue all ordnance and ordnance stores, and camp and garrison
 39 equipage, on the order of the Commander-in-Chief. He may appoint, with
 40 the approval of the Governor, an Ordnance Sergeant, at a salary of not more
 41 than eight hundred dollars per annum, who shall, under the direction of the
 42 Adjutant General, aid and assist him in the discharge of his duties. The
 43 Adjutant General shall receive for his services the sum of twenty-five hundred
 44 dollars per annum. He shall have charge of and carefully preserve the col-
 45 ors, flags, guidons and military trophies of war belonging to the State, and
 46 shall not allow the same to be loaned out or removed from their

47 proper place of deposit. He shall furnish, at the expense of the State, all
48 proper blank books, blanks and forms, and such military instruction books
49 as shall be approved by the Commander-in-Chief. He shall also, on or
50 before the first day of October next preceding the regular session of the
51 General Assembly, make out a full and detailed account of all the transac-
52 tions of his office, with the expenses of the same for the preceding two
53 years, and such other matters as shall be required by the Governor, and
54 shall also report at such other times as the Governor may require. He
55 shall reside at the State capital, and shall hold his office during the pleasure
56 of the Governor.

57 "Section 5. The generals of brigades shall be appointed by the Governor,
58 and shall hold their offices until removed by him or by court-martial or
59 resignation. On recommendation of the General of Brigades, the Governor
60 shall appoint and commission the brigade staff, as follows: Assistant Adju-
61 tant General, with rank of Colonel; Assistant Inspector General, with rank
62 of Lieutenant Colonel; Surgeon, with rank of Lieutenant Colonel; Judge
63 Advocate, with rank of Major; Inspector of Rifle Practice, with rank of
64 Major; Quartermaster, with rank of Captain; Commissary, with rank of
65 Captain, and two (2) Aides-de-camp, with rank of Captain.

66 "Section 6. A regiment of infantry shall consist of not less than eight and
67 not more than ten companies. A battalion shall consist of not less than
68 two and not more than seven companies. A battalion of less than four
69 companies shall be entitled to a Major, and when it has augmented to four
70 or more companies it shall be entitled to a Lieutenant Colonel. The Colo-
71 nel, Lieutenant Colonel and Major of all battalions and regiments shall be
72 elected by the line officers thereof. The regimental staff shall consist of a
73 Surgeon, with the rank of Major; Assistant Surgeon, with the rank of Cap-
74 tain; Inspector of Rifle Practice, with rank of Captain; Chaplain, with rank
75 of Captain; Adjutant, with rank of Captain; Quartermaster, with rank
76 of Captain, who shall be appointed and commissioned by the Governor on
77 recommendation of the Regimental Commander. The battalion staff shall
78 consist of the same officers, except Surgeon, and shall be appointed and com-

79 missioned on recommendation of the Battalion Commander. The com-
 80 mander of a regiment or battalion shall appoint, by warrant, a Sergeant
 81 Major, Quartermaster Sergeant, Commissary Sergeant, Hospital Steward,
 82 Color Sergeant, Ordnance Sergeant, Drum Major and two Principal Musi-
 83 cians, who shall constitute a non-commissioned staff. All field officers shall
 84 hold their offices for three years. The commissions of all staff officers shall
 85 expire when the officer nominating them, or his successor, shall make new
 86 nominations to their respective offices, and such nominations shall be con-
 87 firmed by the Commander-in-Chief. A battalion of cavalry shall consist of
 88 not more than four nor less than two companies, of not less than fifty en-
 89 listed men in each company; and such battalion shall be entitled to a
 90 Major, and if over four companies should at any time be deemed necessary
 91 by the Governor, it shall be called a regiment, and be entitled, also, to a
 92 Lieutenant Colonel, with the same staff officers as a battalion of infantry,
 93 with the addition of a Commissary, with rank as First Lieutenant. The non-
 94 commissioned staff of a battalion of cavalry shall consist of a Sergeant
 95 Major, Quartermaster Sergeant, Commissary Sergeant, Hospital Steward, Color
 96 Sergeant, Chief Bugler, Farrier Sergeant, and Saddler Sergeant, who shall
 97 be appointed in the same manner as provided for a battalion of infantry.

(ARTICLE II.)

98 "Section 5. Every officer, non-commissioned officer, musician and private
 99 of the Illinois National Guard shall be held to duty for the full term of
 100 three years, unless regularly discharged, for good and sufficient cause, by
 101 the commander of his regiment, battalion or battery, approved by the brig-
 102 ade commander or by order of the Commander-in-Chief in every case of
 103 the discharge of an enlisted man by a commander, as aforesaid, the com-
 104 manding officer of his company shall certify to the facts on which the appli-
 105 cation is based, through intermediate commanders, to the Adjutant General,
 106 for the approval or disapproval of the Commander-in-Chief; and each com-
 107 mander shall endorse thereon his approval or disapproval. In case of appli-
 108 cation for discharge or certificate of discharge for disability, such applica-

tion shall take the same course, and shall also have the certificate of the proper medical officers endorsed thereon.

(viii.)

"Section 1. All officers of the Illinois National Guard shall receive the same pay as enlisted men, and no more: *Provided*, that when in actual service for the suppression of riot and the enforcement of the laws, and when on duty under orders from the commander-in-chief, the officers of the Illinois National Guard shall receive the same pay provided by law for officers of the United States army of like grade for each day's service actually so performed: said payments to be made on rolls prescribed by the Adjutant-General.

"Section 2. The enlisted men of the Illinois National Guard shall receive one dollar (\$1) for each day's service, with transportation and necessary rations at any parade or encampment authorized by law in article 4, section 2 of this act, and in going to and returning from the same, and while under any orders of the Commander-in-Chief, or other proper authority for the purposes, and in the manner herein provided; and each mounted, non-commissioned, musician and private shall receive, in addition to the above, one dollar (\$1) per day and forage for his horse; and the commander of each battery shall be allowed one dollar (\$1) per day, and forage for each horse necessary for moving the same: *Provided*, nothing in this act shall be so construed as to allow pay to officers or men for more than four days during any one year, except during a time of riot, insurrection or invasion.

(ARTICLE X.)

"Section 1. The General Assembly shall appropriate such a sum, not exceeding \$75,000, as may be deemed necessary to carry out the provisions of this act to set apart, as a military fund of this State; all sums of money appropriated by the General Assembly to carry out the provisions of this act, shall annually be divided, distributed and paid by the Governor and Adjutant-General to the several regiments, battalions, companies and batteries, upon requisition of the commanding officer, accompanied by the proper vouchers, for the payment of armory rent, fuel, lights, insurance, expenses

139 of court martial, clothing, equipments, transportation, quartermaster's and
140 medical supplies, camp and garrison equipage, encampments, subsistence
141 and pay of officers and men, and for necessary expenses of brigade, regi-
142 mental and battalion Headquarters: *Provided*, that there shall not be al-
143 lowed to any brigade headquarters to exceed \$500, and to regimental or bat-
144 talion headquarters to exceed \$200."

145 § 2. *And be it further enacted*, that sections 2 and 3 of article 10, are hereby
146 repealed.

1. Introduced by Mr. Clough, March 15, 1883, and ordered to first reading.
2. First reading March 15, 1883, and referred to Committee on Military Affairs.
3. Reported back March 16, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading April 17, 1883, amended, and ordered to third reading.
5. Reconsidered May 4, 1883, ordered to second reading.
6. Second reading May 4, 1883, amended, and ordered to a third reading.

A BILL

For An Act to amend sections 3, 4, 5 and 6, of article 1; section 5, of article 2; sections 1 and 2, of article 8, and section 1, of article 10 of an act entitled "An act to provide for the organization of the State Militia, and entitled 'The Military Code of Illinois,' " approved May 28, 1879, in force July 1, 1879, and to repeal sections 2 and 3, of article X (10).

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 General Assembly: That sections 3, 4, 5 and 6, of article 1; section 5, of
3 article 2; sections 1 and 2, of article 8, and section 1, of article 10 of an act
4 entitled "An act to provide for the organization of the State Militia, and
5 entitled 'The Military Code of Illinois,' " approved May 28, 1879, in force
6 July 1, 1879, be amended, so as to read as follows:

7 "Section 3. The active militia shall be designated as the 'Illinois National
8 Guard,' which shall consist of not more than five thousand men and officers,
9 and shall constitute two brigades, each to be commanded by a brigadier
10 general, and shall be recruited by voluntary enlistments. The Commander-
11 in-Chief shall assign all regiments, battalions and companies to such brigades.
12 All enlistments therein shall be for three years, and made by signing enlist-
13 ment papers, prescribed by the Adjutant General, and taking the following
14 oath or affirmation, which may be administered by the enlisting officer,
15 to-wit: 'You do solemnly swear (or affirm) that you will bear true allegiance

16 to the United States and the State of Illinois and that you will support the
17 constitution thereof; that you will serve the State of Illinois faithfully, in
18 its military service, for the term of three years, unless sooner discharged, or
19 you cease to be a citizen thereof; that you will obey the orders of the Com-
20 mander-in-Chief and such officers as may be placed over you, and the laws
21 governing the military forces of Illinois, so help you, God.' This oath may
22 be administered by any commissioned officer, or, in his absence, by any officer
23 authorized by law to administer oaths.

24 "Section 4. The staff of the Commander-in-Chief shall consist of an Adju-
25 tant General, with rank of Brigadier General, who shall be *ex-officio* chief of
26 the staff, Commissary General and Quartermaster General, an Inspector
27 General, a Surgeon General, a Judge Advocate General, and an Inspector of
28 rifle practice, each with the rank of colonel, and one aid from each con-
29 gressional district, each with the rank of colonel. *Provided*, that no
30 employee of the State or a county, while drawing his salary as such, shall
31 receive any pay by reason of any service in the militia of the State. The
32 Adjutant General shall issue and transmit all orders of the Commander-in-
33 Chief with reference to the militia or military organizations of the State,
34 and shall keep a record of all officers commissioned by the Governor, and
35 of all general and special orders and regulations, and of all such matters as
36 pertain to the organization of the State militia and the Illinois National
37 Guard. He shall have charge of the State arsenal and grounds, and shall
38 receive and issue all ordnance and ordnance stores, and camp and garrison
39 equipage, on the order of the Commander-in-Chief. He may appoint, with
40 the approval of the Governor, an Ordnance Sergeant, at a salary of not more
41 than eight hundred dollars per annum, who shall, under the direction of the
42 Adjutant General, aid and assist him in the discharge of his duties. The
43 Adjutant General shall receive for his services the sum of twenty-five hundred
44 dollars per annum. He shall have charge of and carefully preserve the col-
45 ora, flags, guidons and military trophies of war belonging to the State, and
46 shall not allow the same to be loaned out or removed from their

47 proper place of deposit. He shall furnish, at the expense of the State all
 48 proper blank books, blanks and forms, and such military instruction books
 49 as shall be approved by the Commander-in-Chief. He shall also, on or
 50 before the first day of October, next preceding the regular session of the
 51 General Assembly, make out a full and detailed account of all the transac-
 52 tions of his office, with the expenses of the same for the preceding two
 53 years, and such other matters as shall be required by the Governor, and
 54 shall also report at such other times as the Governor may require. He
 55 shall reside at the State capital, and shall hold his office during the pleasure
 56 of the Governor.

57 "Section 5. The Generals of Brigades shall be appointed by the Governor,
 58 and shall hold their offices until removed by him or by court-martial or
 59 resignation. On recommendation of the General of Brigades, the Governor
 60 shall appoint and commission the brigade staff, as follows: Assistant Adju-
 61 tant General, with rank of Colonel; Assistant Inspector General, with rank
 62 of Lieutenant Colonel; Surgeon, with rank of Lieutenant Colonel; Judge
 63 Advocate, with rank of Major; Inspector of Rifle Practice, with rank of
 64 Major; Quartermaster, with rank of Captain; Commissary, with rank of
 65 Captain, and two (2) Aides-de-camp, with rank of Captain.

66 "Section 6. A regiment of infantry shall consist of not less than eight and
 67 not more than ten companies. A battalion shall consist of not less than
 68 two and not more than seven companies. A battallion of less than four
 69 companies shall be entitled to a Major, and when it has augmented to four
 70 or more companies it shall be entitled to a Lieutenant Colonel. The Colo-
 71 nel, Lieutenant Colonel and Major of all battallions and regiments shall be
 72 elected by the line officers thereof. The regimental staff shall consist of a
 73 Surgeon, with the rank of Major; Assistant Surgeon, with the rank of Cap-
 74 tain; Inspector of Rifle Practice, with rank of Captain; Chaplain, with rank
 75 of Captain; Adjutant, with rank of Captain; Quartermaster, with rank
 76 of Captain, who shall be appointed and commissioned by the Governor on
 77 re ommendation of the Regimental Commander. The battallion staff shall
 78 consist of the same officers, except Surgeon, and shall be appointed and com-

79 missioned on recommendation of the Battalion Commander. The commander
 80 of a regiment or battalion shall appoint, by warrant, a Sergeant, Major
 81 Quartermaster Sergeant, Commissary Sergeant, Hospital Steward, Color
 82 Sergeant, Ordnance Sergeant, Drum Major and two Principal Musicians,
 83 who shall constitute a non-commissioned staff. All field officers shall hold
 84 their offices for three years. The commissions of all staff officers shall expire
 85 when the officer nominating them, or his successor, shall make new nomi-
 86 nations to their respective offices, and such nominations shall be confirmed
 87 by the Commander-in-Chief. A battalion of cavalry shall consist of not more
 88 than four nor less than two companies, of not less than fifty enlisted men
 89 in each company; and such battalion shall be entitled to a Major, and if
 90 over four companies should at any time be deemed necessary by the Gov-
 91 ernor, it shall be called a regiment, and be entitled, also, to a Lieutenant
 92 Colonel, with the same staff officers as a battalion of infantry, with the addi-
 93 tion of a Commissary, with rank as First Lieutenant. The non-commissioned
 94 staff of a battalion of cavalry shall consist of a Sergeant Major, Quarter-
 95 master Sergeant, Commissary Sergeant, Hospital Steward, Color Sergeant,
 96 Chief Bugler, Farrier Sergeant, and Saddler Sergeant, who shall be appointed
 97 in the same manner as provided for a battalion of infantry.

(ARTICLE II.)

98 "Section 5. Every officer, non-commissioned officer, musician and private
 99 of the Illinois National Guard shall be held to duty for the full term of
 100 three years, unless regularly discharged, for good and sufficient cause, by
 101 the commander of his regiment, battalion or battery, approved by the Brig-
 102 ade commander or by order of the Commander-in-Chief in every case of
 103 the discharge of an enlisted man by a commander, as aforesaid; the com-
 104 manding officer of his company shall certify to the facts on which the appli-
 105 cation is based, through intermediate commanders, to the Adjutant General,
 106 for the approval or disapproval of the Commander-in-Chief; and each com-
 107 mander shall endorse thereon his approval or disapproval. In case of appli-
 108 cation for discharge or certificate of discharge for disability, such applica-

tion shall take the same course, and shall also have the certificate of the proper medical officers endorsed thereon.

(VIII.)

"Section 1. All officers of the Illinois National Guard shall receive the same pay as enlisted men, and no more: *Provided*, that when in actual service for the suppression of riot and the enforcement of the laws, and when on duty under orders from the Commander-in-Chief, the officers of the Illinois National Guard shall receive the same pay provided by law for officers of the United States army of like grade for each day's service actually so performed; said payments to be made on rolls prescribed by the Adjutant-General.

"Section 2. The enlisted men of the Illinois National Guard shall receive one dollar (\$1) for each day's service, with transportation and necessary rations at any parade or encampment authorized by law in article 4, section 2 of this act, and in going to and returning from the same, and while under any orders of the Commander-in-Chief, or other proper authority for the purposes, and in the manner herein provided; and each mounted, non-commissioned, musician and private shall receive, in addition to the above, one dollar (\$1) per day and forage for his horse; and the commander of each battery shall be allowed one dollar (\$1) per day, and forage for each horse necessary for moving the same: *Provided*, nothing in this act shall be so construed as to allow pay to officers or men for more than four days during any one year, except during a time of riot, insurrection or invasion.

(ARTICLE X.)

"Section 1. All sums of money appropriated by the General Assembly to carry out the provisions of this act, shall annually be divided, distributed and paid by the Governor and Adjutant-General to the several regiments, battalions, companies and batteries, upon requisition of the commanding officer, accompanied by the proper vouchers, for the payment of armory rent, fuel, lights, insurance, expenses of court martial, clothing, equipments, transportation, quartermaster's and medical supplies, camp and garrison

138 equipage, encampments, subsistence and pay of officers and men, and for
139 necessary expenses of brigade, regimental and battalion headquarters: *Pro-*
140 *vided*, that there shall not be allowed to any brigade headquarters to exceed
141 \$500, and to regimental or battalion headquarters to exceed \$200."

§ 2. *And be it further enacted*, That sections 2 and 3 of article 10, are hereby
2 repealed.

1. Introduced by Mr. Ainsworth, March 15, 1883, and ordered to first reading.
2. First reading March 16, 1883, and referred to Committee on Warehouses.
3. Reported back March 28, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers," approved March 28, 1874, as heretofore amended by an act entitled "An act to amend section three (3), of an act entitled 'An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers,' approved March 28, 1874, and to amend the title thereof, approved May 13, 1879."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one, of an act entitled "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers," approved March 28, 1874, as heretofore amended by an act entitled "An act to amend section three (3), of an act entitled 'An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers,' approved March 28, 1874, and to amend the title thereof, approved May 13, 1879," be, and the same is hereby amended so as to read as follows:

"That whenever any trunk, carpet-bag, valise, bundle, package or article of property, transported or coming into the possession of any railroad or express company, or any other common carrier, or innkeeper, or warehouseman, or private warehouse keeper, in the course of its or his business as common carrier, innkeeper, warehouseman, or private warehouse keeper, shall remain unclaimed, and the legal charges thereon unpaid during the space of six months after its arrival at the point to which it shall have been directed, and the owner or person to whom the same is consigned cannot be found upon diligent inquiry, or, being found and notified of the arrival of such article, shall refuse or neglect to receive the same and pay the legal charges thereon for the space of three months, it shall be lawful for such common carrier, innkeeper, warehouseman or

7 private warehouse-keeper to sell such article at public auction, after giving the owner or consignee
18 fifteen days' notice of time and place of sale through the postoffice, and by advertising in a
19 newspaper published in the county where such sale is made, and out of the proceeds of such sale
20 to pay all legal charges on such articles, and the overplus, if any, shall be paid to the owner or
21 the consignee upon demand."

1. Introduced by Mr. Alinsworth, March 15, 1883, read first time (and referred to Committee on Warehouses.
2. Reported back, passage recommended, and ordered to second reading.
3. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section one of an act entitled "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers," approved March 28, 1874, as heretofore amended by an act entitled "An act to amend section three (3), of an act entitled 'An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers,' approved March 28, 1874, and to amend the title thereof, approved May 13, 1879."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section one, of an act entitled "An act to provide for
3 the sale of unclaimed property by common carriers, warehousemen and inn-
4 keepers,' approved March 28, 1874, as heretofore amended by an act entitled
5 "An act to amend section three (3), of an act entitled 'An act to provide for
6 the sale of unclaimed property by common carriers, warehousemen and inn-
7 keepers,' approved March 28, 1874, and to amend the title thereof, approved
8 May 13, 1879," be, and the same is hereby amended, so as to read as follows:
9 "Section 1. That whenever any trunk, carpet-bag, valise, bundle, package or
10 article of property, transported or coming into the possession of any railroad or
11 express company, or any other common carrier, or innkeeper, or warehouseman, or
12 private warehouse-keeper, in the course of its or his business as common
13 carrier, innkeeper, warehouseman, or private warehouse-keeper, shall remain
14 unclaimed, and the legal charges thereon unpaid during the space of six
15 months after its arrival at the point to which it shall have been directed,

16 and the owner or person to whom the same is consigned cannot be found
17 upon diligent inquiry, or, being found and notified of the arrival of such
18 article, shall refuse or neglect to receive the same and pay the legal charges
19 thereon for the space of three months, it shall be lawful for such common
20 carrier, innkeeper, warehouseman or private warehouse-keeper to sell such
21 article at public auction, after giving the owner or consignee fifteen days'
22 notice of the time and place of sale through the postoffice, and by advertising in
23 a newspaper published in the county where such sale is made, and out of
24 the proceeds of such sale to pay all legal charges on such articles, and the
25 overplus, if any, shall be paid to the owner or consignee upon demand."

1. Reported to House May 18, 1883.

2. First reading May 21, 1883, and ordered to second reading.

A BILL

For An Act to amend section one of an act entitled "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers, approved March 28, 1874," as heretofore amended by an act entitled "An act to amend section three (3) of an act entitled 'An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers,' approved March 28, 1874, and to amend the title thereof, approved May 13, 1879."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section one of an act entitled "An act to provide for
3 the sale of unclaimed property by common carriers, warehousemen and inn-
4 keepers,' approved March 28, 1874," as heretofore amended by an act entitled
5 "An act to amend section three (3) of an act entitled 'An act to provide for
6 the sale of unclaimed property by common carriers, warehousemen and inn-
7 keepers,' approved March 28, 1874, and to amend the title thereof, approved
8 May 13, 1879," be, and the same is hereby amended, so as to read as follows:
9 "Section 1. That whenever any trunk, carpet-bag, valise, bundle, package or
10 article of property, transported or coming into the possession of any railroad or
11 express company, or any other common carrier, or innkeeper, or warehouseman,
12 or private warehouse-keeper, in the course of its or his business as common
13 carrier, innkeeper, warehouseman, or private warehouse-keeper, shall remain
14 unclaimed, and the legal charges thereon unpaid during the space of six
15 months after its arrival at the point to which it shall have been directed,

16 and the owner or person to whom the same is consigned cannot be found
17 upon diligent inquiry, or, being found and notified of the arrival of such
18 article, shall refuse or neglect to receive the same and pay the legal charges
19 thereon for the space of three months, it shall be lawful for such common
20 carrier, innkeeper, warehouseman or private warehouse-keeper to sell such
21 article at public auction, after giving the owner or consignee fifteen days'
22 notice of the time and place of sale through the postoffice, and by advertising
23 in a newspaper published in the county where such sale is made, and out of
24 the proceeds of such sale to pay all legal charges on such article, and the
25 overplus, if any, shall be paid to the owner or consignee upon demand."

1. Introduced by Mr. White, March 15, 1883, and ordered to first reading.
2. First reading March 15, 1883, and referred to Committee on Municipalities.
3. Reported back March 16, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend paragraph ninety-one (91), of section sixty-two (62), of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the ninety-first (91st) paragraph, of section sixty-two
3 (62), of an act entitled "An act to provide for the incorporation of cities and
4 villages," approved April 10, 1872, in force July 1, 1872, be, and the same is
5 hereby amended, so as to read as follows:

6 "Section 62. The city council in cities, and president and board of trus-
7 tees in villages, shall have the following powers.

8 *First*—To control the finances and property of the corporation.

9 *Second*—To appropriate money for corporate purposes only, and provide
10 for payment of debts and expenses of the corporation.

11 *Third*—To levy and collect taxes for general and special purposes on real
12 personal property.

13 *Fourth*—To fix the amount, terms and manner of issuing and revoking
14 licenses.

15 *Fifth*—To borrow money on the credit of the corporation for corporate
16 purposes, and issue bonds therefor, in such amounts and form and on such con-
17 ditions as it shall prescribe, but shall not become indebted, in any manner, or for
18 any purpose, to an amount, including existing indebtedness, in the aggregate

19 to exceed five (5) per centum on the value of the taxable property therein,
 20 to be ascertained by the last assessment for State and county taxes previous
 21 to the incurring of such indebtedness; and before, or at the time of incur-
 22 ring any indebtedness, shall provide for the collection of a direct annual tax
 23 sufficient to pay the interest on such debt as it falls due, and also to pay
 24 and discharge the principal thereof within twenty years after contracting
 25 the same.

26 *Sixth*—To issue bonds in place of, or to supply means to meet maturing
 27 bonds, or for the consolidation or funding of the same.

28 *Seventh*—To lay out, to establish, open, alter, widen, extend, grade, pave,
 29 or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and
 30 public grounds, and vacate the same.

31 *Eighth*—To plant trees upon the same.

32 *Ninth*—To regulate the use of the same.

33 *Tenth*—To prevent and remove encroachments or obstructions upon the
 34 same.

35 *Eleventh*—To provide for the lighting of the same.

36 *Twelfth*—To provide for the cleansing of the same.

37 *Thirteenth*—To regulate the openings therein for the laying of gas or
 38 water mains and pipes, and the building and repairing of fences, tunnels,
 39 and drains, and erecting gas lights: *Provided, however,* that any company
 40 heretofore organized under the general laws of this State, or any associa-
 41 tion of persons organized, or which may be hereafter organized, for the
 42 purpose of manufacturing illuminating gas to supply cities or villages, or
 43 the inhabitants thereof, with the same, shall have the right, by consent of
 44 the common council (subject to existing rights), to erect gas factories, and
 45 lay down pipes in the streets or alleys of any city or village in this State,
 46 subject to such regulations as any such city or village may, by ordinance,
 47 impose.

48 *Fourteenth*—To regulate the use of sidewalks and all structures there-
 49 under, and to require the owner or occupant of any premises to keep the
 50 sidewalks in front of, or along the same, free from snow and other obstruc-
 51 tions.

52 *Fifteenth*—To regulate and prevent the throwing or depositing of ashes,
 53 offal, dirt, garbage, or any offensive matter in, and to prevent injury to
 54 any street, avenue, alley or public ground.

55 *Sixteenth*—To provide for and regulate crosswalks, curbs and gutters.

56 *Seventeenth*—To regulate and prevent the use of streets, sidewalks and
 57 public grounds for signs, sign posts, awnings, awning posts, telegraph poles,
 58 horse troughs, racks, posting hand bills and advertisements.

59 *Eighteenth*—To regulate and prohibit the exhibition or carrying of ban-
 60 ners, placards, advertisements or hand bills in the streets or public grounds,
 61 or upon the sidewalks.

62 *Nineteenth*—To regulate and prevent the flying of flags, banners or signs
 63 across the streets or from houses.

64 *Twentieth*—To regulate traffic and sale upon the streets, sidewalks and
 65 public places

66 *Twenty-first*—To regulate the speed of horses and other animals, vehicles,
 67 cars and locomotives, within the limits of the corporation.

68 *Twenty-second*—To regulate the numbering of houses and lots.

69 *Twenty-third*—To name and change the name of any street, avenue, alley
 70 or other public place.

71 *Twenty-fourth*—To permit, regulate or prohibit the locating, constructing
 72 or laying a track of any horse railroad in any street, alley or public place,
 73 but such permission shall not be for a longer time than twenty years.

74 *Twenty-fifth*—To provide for and change the location, grade and crossings
 75 of any railroad.

76 *Twenty-sixth*—To require railroad companies to fence their respective rail-
 77 roads, or any portion of the same, and to construct cattle guards, crossing
 78 of streets and public roads, and to keep the same in repair, within the
 79 limits of the corporation. In case any railroad company shall fail to com-
 80 ply with any such ordinance, it shall be liable for all damages the owner
 81 of any cattle or horses, or other domestic animal, may sustain by reason of
 82 injuries thereto, while on the track of such railroad, in like manner and
 83 extent as under the general laws of this State, relative to the fencing of

84 railroads; and actions to recover such damages may be instituted before
85 any justice of the peace or other court of competent jurisdiction.

86 *Twenty-seventh*—To require railroad companies to keep flagmen at railroad
87 crossings of streets, and provide protection against injury to persons and
88 property in the use of such railroads. To compel such railroad to raise or
89 lower their railroad tracks to conform to any grade which may at any
90 time be established by such city, and where such tracks run lengthwise of
91 any such street, alley or highway, to keep their railroad tracks on a level
92 with the street surface, and so that such tracks may be crossed at any
93 place on such street, alley or highway. To compel and require railroad
94 companies to make and keep open and to keep in repair ditches, drains,
95 sewers and culverts along and under their railroad tracks, so that filthy or
96 stagnant pools of water cannot stand on their grounds or right of way,
97 and so that the natural drainage of adjacent property shall not be impeded.

98 *Twenty-eighth*—To construct and keep in repair bridges, viaducts and
99 tunnels, and to regulate the use thereof.

100 *Twenty-ninth*—To construct and keep in repair culverts, drains, sewers
101 and cess-pools, and to regulate the use thereof.

102 *Thirtieth*—To deepen, widen, dock, cover, wall, alter or change the chan-
103 nel of water courses.

104 *Thirty-first*—To construct and keep in repair canals and slips for the
105 accommodation of commerce.

106 *Thirty-second*—To erect and keep in repair public landing places, wharves,
107 docks and levees.

108 *Thirty-third*—To regulate and control the use of public and private land-
109 ing places, wharves, docks and levees.

110 *Thirty-fourth*—To control and regulate the anchorage, moorage and land-
111 ing of any water craft and their cargoes within the jurisdiction of the
112 corporation.

113 *Thirty-fifth*—To license, regulate and prohibit wharf boats, tugs and other
114 boats used about the harbor or within such jurisdiction.

115 *Thirty-sixth*—To fix the rate of wharfage and dockage.

116 *Thirty-seventh*--To collect wharfage and dockage from all boats, rafts or
 117 other craft landing at or using any public landing place, wharf, dock or
 118 levee within the limits of the corporation.

119 *Thirty-eighth*--To make regulations in regard to the use of harbors, tow-
 120 ing of vessels, opening and passing of bridges.

121 *Thirty-ninth*--To appoint harbor masters and define their duties.

122 *Fortieth*--To provide for the cleansing and purification of waters, water
 123 courses and canals, and the draining or filling of ponds on private prop-
 124 erty, whenever necessary to abate nuisances."

125 *Forty-first*--To license, tax, regulate, suppress and prohibit hawkers, ped-
 126 dlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions,
 127 shows and amusements, and to make such license at pleasure.

128 *Forty-second*--To license, tax, and regulate hackmen, draymen, omnibus
 129 drivers, carters, cabmen, porters, expressmen, and all others pursuing like
 130 occupations, and to prescribe their compensation.

131 *Forty-third*--To license, regulate, tax, and restrain runners for stages, cars,
 132 public houses, or other things or persons.

133 *Forty-fourth*--To license, regulate, tax or prohibit and suppress billiard,
 134 baggatelle, pigeon hole, or any other tables or implements kept or used for
 135 a similar purpose in any place of public resort, pin alleys, and ball alleys.

136 *Forty-fifth*--To suppress bawdy and disorderly houses, houses of ill-fame,
 137 or assignation, within the limits of the city, and within three miles of the
 138 outer boundaries of the city; and also to suppress gaming, and gambling
 139 houses, lotteries, and all fraudulent devices and practices for the purpose
 140 of gaming, or obtaining money or property; and to prohibit the sale or ex-
 141 hibition of obscene or immoral publications, prints, pictures or illustrations.

142 *Forty-sixth*--To license, regulate, and prohibit the selling or giving away
 143 of any intoxicating, malt, vinous, mixed, or fermented liquor, the license
 144 not to extend beyond the municipal year in which it shall be granted, and
 145 to determine the amount to be paid for such license: *Provided*, that the city
 146 council in cities, or president and board of trustees in villages, may grant per-
 147 mits to druggists for the sale of liquors for medicinal, mechanical, sacramental

148 and chemical purposes only, subject to forfeiture, and under such restrictions
 149 and regulations as may be provided by ordinance: *Provided, further*, that in
 150 granting licenses, such corporate authorities shall comply with whatever
 151 general law of the State may be in force relative to the granting of licenses.

152 *Forty-seventh*—The foregoing shall not be construed to affect the provisions
 153 of the charter of any literary institution heretofore granted.

154 *Forty-eighth*—And the city council in cities, and president and board of
 155 trustees in villages, shall also have the power to forbid and punish the
 156 selling or giving away of any intoxicating, malt, vinous, mixed, or fer-
 157 mented liquor to any minor, apprentice, or servant, or insane, idiotic, or
 158 distracted person, habitual drunkard, or person intoxicated.

159 *Forty-ninth*—To establish markets and market houses, and provide for the
 160 regulations and use thereof.

161 *Fiftieth*—To regulate the sale of meats, poultry, fish, butter, cheese, lard,
 162 vegetables, and all other provisions, and to provide for place and manner
 163 of selling the same.

164 *Fifty-first*—To prevent and punish forestalling and regrating.

165 *Fifty-second*—To regulate the sale of bread in the city or village; prescribe
 166 the weight and quality of the bread in the loaf.

167 *Fifty-third*—To provide for and regulate the inspection of meats, poultry,
 168 fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal, and other
 169 provisions.

170 *Fifty-fourth*—To regulate the inspection, weighing, and measuring of
 171 brick, lumber, firewood, coal, hay, and any article of merchandise.

172 *Fifty-fifth*—To provide for the inspection and settling of weights and
 173 measures.

174 *Fifty-sixth*—To enforce the keeping and use of proper weights and meas-
 175 ures by vendors.

176 *Fifty-seventh*—To regulate the construction, repairs, and use of vaults, cis-
 177 terns, areas, hydrants, pumps, sewers, and gutters.

178 *Fifty-eighth*—To regulate places of amusement.

179 *Fifty-ninth*—To prevent intoxication, fighting, quarreling, dog fights, cock
180 fights, and all disorderly conduct.

181 *Sixtieth*—To regulate partition fences and party walls.

182 *Sixty-first*—To prescribe the thickness, strength, and manner of construct-
183 ing stone, brick and other buildings, and construction of fire escapes
184 therein.

185 *Sixty-second*—The city council, and the president and trustees in villages,
186 for the purpose of guarding against the calamities of fire, shall have power
187 to prescribe the limits within which wooden buildings shall not be erected
188 or placed or repaired, without permission, and to direct that all and any
189 buildings within the fire limits, when the same shall have been damaged
190 by fire, decay or otherwise, to the extent of fifty per cent. of the value,
191 shall be torn down or removed, and to prescribe the manner of ascertain-
192 ing such damage.

193 *Sixty-third*—To prevent the dangerous construction and condition of
194 chimneys, fire-places, hearths, stoves, stove-pipes, ovens, boilers, and appaatus
195 used in and about any building or manufactory, and to cause the same to
196 be removed or placed in a safe condition, when considered dangerous; to
197 regulate and prevent the carrying on of manufactories, dangerous in caus-
198 ing and promoting fires; to prevent the deposit of ashes in unsafe places,
199 and to cause all such buildings and enclosures as may be in a dangerous
200 state, to be put in a safe condition.

201 *Sixty-fourth*—To erect engine houses, and provide fire engines, hose carts,
202 hook and ladders, and other implements for prevention and extinguishment
203 of fires, and provide for the use and management of the same by voluntary
204 fire companies or otherwise.

205 *Sixty-fifth*—To regulate and prevent the storage of gun-powder, tar, pitch,
206 resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum,
207 or any of the products thereof, and other combustible or explosive material,
208 and the use of lights in stables, shops and other places, and the building
209 of bonfires; also to regulate and restrain the use of fire-works, fire-crackers,
210 torpedoes, roman-candles, sky-rockets, and other phrotechnic displays.

211 *Sixty-sixth*—To regulate the police of the city or village, and pass and
 212 enforce all necessary police ordinances.

213 *Sixty-seventh*—To provide for the inspection of steam boilers.

214 *Sixty-eighth*—To prescribe the duties and powers of a superintendent of
 215 police, policemen and watchmen.

216 *Sixty-ninth*—To establish and erect calaboose, bridewells, houses of cor-
 217 rection and work houses for the reformation and confinement of vagrants,
 218 idle and disorderly persons, and persons convicted of violating any city or
 219 village ordinance, and make rules and regulations for the government of
 220 the same, and appoint necessary keepers and assistants.

221 *Seventieth*—To use the county jail for the confinement or punishment of
 222 offenders, subject to such conditions as are imposed by law, and with the
 223 consent of the county board.

224 *Seventy-first*—To provide by ordinance in regard to the relation between
 225 all the officers and employees of the corporation in respect to each other,
 226 the corporation and the people.

227 *Seventy-second*—To prevent and suppress riots, routs, affrays, noises dis-
 228 turbances, disorderly assemblies in any public or private place.

229 *Seventy-third*—To prohibit and punish cruelty to animals.

230 *Seventy-fourth*—To restrain and punish vagrants, medivants and prosti-
 231 tutes.

232 *Seventy-fifth*—To declare what shall be a nuisance, and to abate the same,
 233 and to impose fines upon parties who may create, continue or suffer nuis-
 234 ances to exist.

235 *Seventy-sixth*—To appoint a board of health and prescribe its powers and
 236 duties.

237 *Seventy-seventh*—To erect and establish hospitals and medical dispensaries
 238 and regulate the same.

239 *Seventy-eighth*—To do all acts, make all regulations which may be neces-
 240 sary or expedient for the promotion of health or the suppression of disease.

241 *Seventy-ninth*—To establish and regulate cemeteries, within or without
 242 the corporation, and acquire lands therefor, by purchase or otherwise, and

243 cause cemeteries to be removed, and prohibit their establishment within
244 one mile of the corporation.

245 *Eightieth*—To regulate, restrain and prohibit the running at large of
246 horses, cattle, swine, sheep, goats, and dogs, and to impose a tax on dogs.

247 *Eighty-first*—To direct the location and regulate the management and
248 construction of packing houses, renderies, tallow chandelries, bone factories
249 soap factories and tanneries, within the limits of the city or village, and
250 within the distance of one mile without the city or village limits.

251 *Eighty-second*—To direct the location and regulate the use and construc-
252 tion of breweries, distilleries, livery stables, blacksmith shops and founderies
253 within the limits of the city or village.

254 *Eighty-third*—To prohibit any offensive or unwholesome business or estab-
255 lishment within, or within one mile of the limits of the corporation.

256 *Eighty-fourth*—To compel the owner of any grocery, cellar, soap or tallow
257 chandlery, tannery, stable, pig-sty, privy, sewer, or other unwholesome or
258 nauseous house or place, to cleanse, abate or remove the same, and to regu-
259 late the location thereof.

260 *Eighty-fifth*—The city council or trustees of a village shall have power to
261 provide for the taking of the city or village census, but no city or village
262 census shall be taken by authority of the council or trustees oftener than
263 once in three years.

264 *Eighty-sixth*—To provide for the erection and care of all public buildings
265 necessary for the use of the city or village.

266 *Eighty-seventh*—To establish ferries, toll bridges, and license and regu-
267 late the same, and from time to time fix tolls thereon.

268 *Eighty-eight*—To authorize the construction of mills, mill-races and feeders
269 on, through or across the streets of the city or village, at such places and
270 under such restrictions as they shall deem proper.

271 *Eighty-ninth*—The city council shall have power, by condemnation or
272 otherwise, to extend any street, alley or highway over or across, or to con-
273 struct any sewer under or through any railroad track, right of way, or

274 land of any railroad company (within the corporate limits); but where no
 275 such compensation is made to such railroad company, the city shall restore
 276 such railroad track, right of way or land to its former state, or in a suffi-
 277 cient manner not to have impaired its usefulness.

278 *Ninetieth*—The city council or board of trustees shall have no power to
 279 grant the use of, or the right to lay down, any railroad tracks in any
 280 street of the city to any steam or horse railroad company, except upon a
 281 petition of the owners of the land representing more than one half of the
 282 frontage of the street, or so much thereof as is sought to be used for rail-
 283 road purposes.

284 *Ninety-first*—To tax, license and regulate auctioneers, distillers, brewers,
 285 lumber yards, lumber dealers, lumber brokers and lumber commission mer-
 286 chants, livery stables, public scales, money changers and brokers.

287 *Ninety-second*—To prevent and regulate the rolling hoops, playing of ball,
 288 flying of kites or any other amusement or practice having a tendency to
 289 annoy persons passing in the streets or on the sidewalks, or to frighten
 290 teams and horses.

291 *Ninety-third*—To regulate and prohibit the keeping of any lumber yard,
 292 and the placing or piling or selling any lumber, timber, wood or other
 293 combustible material within the fire limits of the city.

294 *Ninety-fourth*—To provide, by ordinance, that all the paper, printing,
 295 stationery, blanks, fuel, and all the supplies needed for the use of the city,
 296 shall be furnished by contract, let to the lowest bidder.

297 *Ninety-fifth*—To tax, license and regulate second hand and joint stores,
 298 and to forbid their purchasing or receiving from minors, without the writ-
 299 ten consent of their parents or guardians, any article whatsoever.

300 *Ninety-sixth*—To pass all ordinances, rules, and make all regulations
 301 proper or necessary to carry into effect the powers granted to cities or
 302 villages, with such fines or penalties as the city council or board of trus-
 303 tees shall deem proper: *Provided*, no fine or penalty shall exceed \$200, and
 304 no imprisonment shall exceed six months for one offense.

1. Introduced by Mr. White, March 15, 1883, and ordered to first reading.
2. First reading March 15, 1883, and referred to Committee on Municipalities.
3. Reported back March 21, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to amend section one (1), of article eight (8), of an act entitled 'An act to provide for the incorporation of cities and villages,'" approved May 28, 1879, in force July 1, 1879.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General

Assembly: That section one (1), of article eight (8), of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended by an act entitled "An act to amend section one (1), of article eight (8), of an act entitled 'An act to provide for the incorporation of cities and villages,'" approved May 28, 1879, be and the same is hereby amended to read as follows:

"Section 1. The city council in cities, and the board of trustees in villages, may levy and collect taxes for corporate purposes, in the manner following: The city council, or board of trustees, as the case may be, shall annually, on or before the third (3d) Tuesday in September, of each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year, and, by ordinance, specifying in detail the purposes for which such appropriations are made, and the sum or amount appropriated for each purpose, respectively, levy the amount so ascertained upon all the property subject to taxation within the city or village, as the same is assessed and equalized for State and county purposes for the current year. A certified copy of such ordinance shall be filed with the county clerk of the proper county, whose duty it shall be to ascertain the rate of per cent. which, upon the total valuation of all property subject to taxation within the city or village, as the same is assessed and equalized for State and county purposes, will produce a net amount not less than the amount so directed to be levied; and it shall be the duty of the county clerk to extend such tax

20 in a separate column upon the book or books of the collector or collectors of State and county
21 taxes, within such city or village: *Provided*, the aggregate amount of taxes levied for any one
22 year, exclusive of the amount levied for the payment of bonded indebtedness, or the interest
23 thereon, and exclusive, also, of the amount levied for the completion of public buildings, the
24 erection of which was begun before the imposition of this limitation, shall not exceed the rate of
25 two (2) per centum, upon the aggregate valuation of all property within said city or village, sub-
26 ject to taxation therein, as the same was equalized for State and county taxes for the preceding
27 year.

§ 2. Whereas, an emergency exists, this act shall take effect and be in force from and after
2 passage.

1. Introduced by Mr. Shumway, March 15, 1883, and ordered to first reading.
2. First reading March 15, 1883, and ordered to Committee on Miscellany.
3. Reported back March 28, 1883, passage recommended and ordered to second reading.

A BILL

For An Act to amend section 4, of an act entitled "An act to secure the enforcement of the law for prevention of cruelty to animals," approved May 25, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 4, of an act entitled "An act to secure the
3 enforcement of the law for prevention of cruelty to animals," approved May
4 25, 1877, in force July 1, 1877, be, and the same is hereby amended, to read
5 as follows:

6 "Section 4. It shall be the further duty of said officers to see that stock
7 in the stock yards are properly fed, watered and cared for, and that such
8 stock receive the full amount of feed for which the owner or shipper is
9 charged. Said officers shall have power, without making written complaint,
10 to arrest any person or persons who may be found by them in the act of
11 violating any of the provisions of this act; any person so arrested shall be
12 taken to any justice of the peace, or police magistrate, in the town in which
13 the offense is committed, and shall be tried in the same manner as when
14 arrested by a peace officer upon complaint."

1. Introduced by Mr. Shumway, March 15, 1883, read first time, and referred to Committee on Miscellany.
2. Reported back, passage recommended, and ordered to second reading.
3. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 4, of an act entitled "An act to secure the enforcement of the law for prevention of cruelty to animals," approved May 25, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 4, of an act entitled "An act to secure the
3 enforcement of the law for prevention of cruelty to animals," approved May
4 25, 1877, in force July 1, 1877, be, and the same is hereby amended, to read as
5 follows:

6 "Section 4. It shall be the further duty of said officers to see that stock
7 in the stock yards are properly fed, watered and cared for, and that such
8 stock receive the full amount of feed for which the owner or shipper is
9 charged. Said officer shall have power, without making written complaint,
10 to arrest any person or persons who may be found by them in the act of
11 violating any of the provisions of this act; any person or persons so arrested
12 shall be taken to any justice of the peace, or police magistrate, in the town
13 in which the offense is committed, and shall be tried in the same manner as
14 when arrested by a peace officer upon complaint: *Provided*, that the cost of
15 said feed shall be chargeable thereto and be a lien on the stock so fed."

1. Introduced by Mr. Evans, March 16, 1883, and ordered to first reading.
2. First reading March 16, 1883, and referred to Committee on Insurance.
3. Reported back March 22, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 6, of an act entitled "An act to incorporate and govern fire, marine and inland navigation insurance companies, doing business in the State of Illinois," approved March 11, 1869, in force July 1, 1869; and as amended by an act approved May 11, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section six, of an act entitled "An act to incorporate
3 and govern fire, marine and inland navigation insurance companies, doing
4 business in the State of Illinois," approved March 11, 1869, and in force
5 July 1, 1869, and as amended by an act approved May 1, 1877, and in force
6 July 1, 1877, be and the same is hereby amended so as to read as follows:
7 "Section 6. No joint stock company shall be incorporated under this act
8 with a smaller capital than one hundred thousand dollars, actually paid up
9 in cash. Nor shall any company formed under this act for the purpose of
10 doing the business of fire or inland navigation insurance, on the plan of
11 mutual insurance, commence business, if located in any city with more than
12 two hundred thousand inhabitants, nor establish any agency for the trans-
13 action of business in such city, until agreements have been entered into for
14 insurance with at least four hundred applicants, the premiums on which
15 shall amount to not less than two hundred thousand dollars (\$200,000), of
16 which forty thousand dollars (\$40,000) at least shall have been paid in cash,

17 and notes of solvent parties, founded on actual *bona fide* applications for
18 insurance, shall have been received for the remainder; nor shall any mutual
19 insurance company in any part of this State, other than cities of more than
20 two hundred thousand inhabitants, commence business until agreements have
21 been entered into for insurance with at least one hundred applicants, the
22 premiums on which shall amount to not less than fifty thousand dollars
23 (\$50,000), of which ten thousand dollars (\$10,000) at least shall have been
24 paid in cash, and notes of solvent parties founded upon actual and *bona*
25 *fide* applications for insurance, shall have been received for the remainder.
26 No one of the notes received as aforesaid, shall amount to more than one
27 thousand dollars (\$1,000), and no two notes shall be for the same risk, or be
28 made by the same person or firm, except where the whole amount of such
29 notes shall not exceed one thousand dollars (\$1,000), nor shall any such note
30 be represented as capital stock unless a policy be issued upon the same
31 within thirty days after organization of the company upon a risk which
32 shall not be for a shorter period than twelve months. Each of the said
33 notes shall be payable in part, or in whole, at any time when the directors
34 shall deem the same requisite for payment of losses by fire or inland naviga-
35 tion, and such incidental expenses as may be necessary for transacting the
36 business of said company. And no note shall be accepted as a part of said
37 capital stock unless the same shall be accompanied by a certificate of a
38 justice of the peace or supervisor of the town or city where the person
39 making such note shall reside, that the person making the same is, in his
40 opinion, pecuniarily good and responsible for the same, and no such note
41 shall be surrendered during the life of the policy for which it was given.
42 No joint stock fire insurance company organized under this act, or trans-
43 acting business in this State, shall expose itself to any loss on any one fire
44 risk or hazard to any amount exceeding ten per cent. of its paid up capital

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- 1 Introduced by Mr. Clough, March 16, 1883, and ordered to first reading.
 - 2 First reading March 16, 1883, and referred to Committee on Appropriations.
 - 3 Reported back March 22, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to provide for payment of the Illinois National Guard, for the year ending July 1, 1884, and for the year ending July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That there be, and is hereby appropriated, to pay the expenses of the Illinois National Guard, for the years ending July 1, 1884, and July 1, 1885, the proceeds of the levies now authorized by the "Military Code" to be made annually for State military purposes.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the amount above set forth, upon presentation of the proper vouchers, and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated, to the order of the persons entitled thereto.



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1. Introduced by Mr. Duncan, March 16, 1883, and ordered to first reading.
 2. First reading March 16, 1883, and referred to Committee on Judiciary.
 3. Reported back March 28, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to amend "An act to revise the law in relation to weights and measures," approved February 27, 1874, in force July 1, 1874, by adding an additional section thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That an act to revise the law in relation to "weights
3 and measures," approved February 27, 1874, in force July 1, 1874, be, and
4 the same is hereby amended, by adding thereto the following section:
5 "Section 7½. Whenever cranberries shall be contracted for, or sold or
6 delivered, and no special contract shall be made to the contrary, the net
7 weight per barrel shall be ninety-nine pounds."

1. Introduced by Mr. Torrance, March 19, 1883, and ordered to first reading.
2. First reading March 19, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to permit owners of land to construct drains for agricultural purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the owner or owners of land in this State shall be permitted to construct drains for agricultural purposes; only, into any natural water-course, or any natural depression whereby the water will be carried into any pond or natural water-course, or any drain on a public highway, if the road commissioners consent thereto, for the purpose of securing proper drainage to such land, without being liable in damages therefor to any other person or persons, or corporation.

§ 2. If the drain constructed is wholly upon the land owned by the person or persons, constructing the same, it may be either an open or covered drain as they desire.

§ 3. If the drain to be constructed shall lead across, or upon, the land of any other person or persons, and the owners of all the land upon which it is to be constructed can agree, it may be constructed in such manner as they may decide: when constructed such drain shall forever thereafter be kept open, and in proper repair, by the owner or owners of the land upon which the same, or any part thereof, is located, unless the owners of all the land upon which the drain is located shall agree to vacate or close the same.

§ 4. If the drain shall be constructed on, or over, the land of any other person or persons, without the consent of the owner, or owners, thereof, it shall consist of tile, or some other material equally as good, and placed at a

4 sufficient depth to be secure from the action of frost thereon, and the sur-
 5 face of the land left, as near as possible, in the same condition as before the
 6 entry thereon to construct such drain.

§ 5. If the owner or owners, of land over which any other person or
 2 persons, desire to drain shall not consent thereto, the person or persons,
 3 desiring to drain may cause a summons to issue from any justice of the
 4 peace in the county, in the same form and returnable in the same manner,
 5 as other summons in civil suits, and proceedings shall be had thereon as in
 6 other civil causes before justices of the peace: *Provided*, If the owner or
 7 owners, of such land do not reside in said county, or cannot be found
 8 therein, summons may be served by leaving a copy with the person or
 9 persons, in possession or in control of such premises.

§ 6. The justice, or jury, if a jury is impaneled, shall hear the evidence
 2 and if they find such drain, if constructed in the manner proposed, would
 3 not empty into a natural water-course, or natural depression, whereby the
 4 water would be carried into any pond or natural water-course, or any drain
 5 on a public highway, by consent of the road commissioners, they shall find
 6 for the defendant; if they find such drain, if constructed would empty into
 7 a natural water-course, or natural depression, whereby the water would be
 8 carried into any pond or natural water-course, or any drain on a public
 9 highway, by consent of the road commissioners, they shall find for the plain-
 10 tiff or plaintiffs, and shall allow the defendant or defendants such actual
 11 damages only as will be sustained by entering upon the land and construct-
 12 ing such drain. The judgment shall be final and conclusive between the
 13 parties.

§ 7. If, after judgment, the plaintiff or plaintiffs in such suit shall deem
 2 it best not to construct such drain, they may so state upon the docket of
 3 the justice, at the foot of such judgment, and pay all costs of such trial,
 4 but shall not again be permitted to commence a suit for the same purpose.
 5 If they desire to construct such drain, they shall first pay to the justice the
 6 judgment and costs taxed against them, and may thereupon enter upon such
 7 premises and construct such drain, and may thereafter, at all times, in proper

8 season, enter upon said land for the purpose of repairing such drain; this
 9 right shall pass to the heirs or assigns of such land: *Provided*, that if the
 10 person or persons constructing such drain, or repairing the same, shall un-
 11 necessarily cause any damage to the owner or owners of such land, they
 12 shall forfeit and pay to such owner or owners three times the amount of
 13 such damage, to be recovered in any form of action.

§ 8. Before any person or persons shall be permitted to commence an
 2 action, as provided for herein, they shall file a bond in a sum not less than
 3 fifty dollars, with security to be approved by the justice, conditioned that
 4 they will pay all costs legally accruing in said cause, and all damages, if
 5 damages are awarded therein, within sixty days after the rendition of judg-
 6 ment, or pay all costs and abandon the construction of such drain in the
 7 manner provided by this act, within the same time. If the defendant or
 8 defendants procures the attendance of any witnesses, not necessary to a
 9 proper defense, all the costs of such witnesses, and of subpoenaing the same
 10 shall be taxed to the defendant or defendants.

§ 9. Prior to issuing the summons in commencing any suit under this act,
 2 the plaintiff or plaintiffs, shall file with the justice a rough sketch, or plat,
 3 of the land to be drained, and that of all other persons across or upon which
 4 such drain is to be constructed, showing the starting point of such drain and
 5 its proposed course across or upon the land of others, and the point of its
 6 discharge; and such plat shall be kept by the justice with the other papers
 7 in said cause. A failure to comply with the provisions of this section shall
 8 be sufficient cause for the dismissal of the suit at any time before the trial
 9 is entered upon

§ 10. If any person or persons, shall willfully fill up, injure or destroy
 2 any drain constructed as herein required, or willfully prevent or delay the
 3 construction of any drain in the manner provided by this act, or shall
 4 neglect or refuse to keep the same open, as required by this act, such person
 5 or persons, shall be deemed guilty of a misdemeanor, and, upon conviction
 6 thereof, for the first offense shall be fined in the sum of not less than twenty-
 7 five dollars, or more than one hundred dollars, and for the second offense

8 shall be fined in a sum of not less than fifty or more than two hundred
9 dollars, and for each subsequent offense shall be confined in the county jail
10 for not less than thirty days or more than one year.

§ 11. All acts or parts of acts, inconsistent herewith are hereby repealed.
2 Nothing herein contained shall affect any suits that may be pending, or any
3 rights that may have accrued, under other acts before this shall take effect.

AMENDMENTS TO SENATE BILL 346.

At meeting of the Committee on Agriculture and Drainage, held on April
3 5, 1883, the following amendments are adopted to said bill:

3 1. Amend by striking out the words "pond or" wherever they occur in this
4 bill.

5 2. Amend by striking out section eleven (11).

1. Introduced by Mr. Torrance, March 19, 1883, read first time and referred to Committee on Agriculture and Drainage.
2. Reported back, with amendments, passage recommended, and ordered to second reading.
3. Second reading April 18, 1883, amendments adopted and ordered to third reading.

A BILL

For An Act to permit owners of land to construct drains for agricultural purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the owner or owners of land in this State shall be
3 permitted to construct drains for agricultural purposes, only, into any natural
4 water-course, or any natural depression whereby the water will be carried into
5 any natural water-course or any drain on a public highway, if the road
6 commissioners consent thereto, for the purpose of securing proper drainage
7 to such land, without being liable in damages therefor to any other person
8 or persons, or corporation.

§ 2. If the drain constructed is wholly upon the land owned by the person
2 or persons constructing the same, it may be either an open or covered drain,
3 as they desire.

§ 3. If the drain to be constructed shall lead across or upon the land of
2 any other person or persons, and the owners of all the land upon which it
3 is to be constructed can agree, it may be constructed in such manner as they
4 may decide; when constructed such drain shall forever thereafter be kept
5 open and in proper repair by the owner or owners of the land upon which
6 the same or any part thereof is located, unless the owners of all the land
7 upon which the drain is located shall agree to vacate or close the same.

§ 4. If the drain shall be constructed on or over the land of any other person or persons, without the consent of the owner or owners thereof, it shall consist of tile or some other material equally as good, and placed at a sufficient depth to be secure from the action of frost thereon, and the surface of the land left, as near as possible, in the same condition as before the entry thereon to construct such drain.

§ 5. If the owner or owners of land over which any other person or persons desire to drain shall not consent thereto, the person or persons desiring to drain may cause a summons to issue from any justice of the peace in the county, in the same form and returnable in the same manner as other summons in civil suits, and proceedings shall be had thereon as in other civil causes before justices of the peace: *Provided*, if the owner or owners of such land do not reside in said county, or cannot be found therein, summons may be served by leaving a copy with the person or persons in possession or in control of such premises.

§ 6. The justice or jury, if a jury is impanelled, shall hear the evidence and if they find such drain, if constructed in the manner proposed, would not empty into a natural water-course, or natural depression whereby the water would be carried into any natural water-course, or any drain on a public highway, by consent of the road commissioners, they shall find for the defendant; if they find such drain, if constructed, would empty into a natural water-course, or natural depression whereby the water would be carried into any natural water-course, or any drain on a public highway, by consent of the road commissioners, they shall find for the plaintiff or plaintiffs, and shall allow the defendant or defendants such actual damages only as will be sustained by entering upon the land and constructing such drain. The judgment shall be final and conclusive between the parties.

§ 7. If, after judgment, the plaintiff or plaintiffs in such suit shall deem it best not to construct such drain, they may so state upon the docket of the justice, at the foot of such judgment, and pay all costs of such trial, but shall not again be permitted to commence a suit for the same purpose. If they desire to construct such drain, they shall first pay to the justice the

6 judgment and costs taxed against them, and may thereupon enter upon such
7 premises and construct such drain, and may thereafter, at all times, in proper
8 season, enter upon said land for the purpose of repairing such drain; this
9 right shall pass to the heirs or assigns of such land: *Provided*, that if the
10 person or persons constructing such drain, or repairing the same, shall
11 unnecessarily cause any damage to the owner or owners of such land, they
12 shall forfeit and pay to such owner or owners three times the amount of
13 such damage, to be recovered in any form of action.

§ 8. Before any person or persons shall be permitted to commence an
2 action, as provided for herein, they shall file a bond in a sum not less
3 than fifty dollars, with security to be approved by the justice, conditioned
4 that they will pay all costs legally accruing in said cause, and all damages,
5 if damages are awarded therein, within sixty days after the rendition of
6 judgment, or pay all costs and abandon the construction of such drain in
7 the manner provided by this act, within the same time. If the defendant or
8 defendants procure the attendance of any witnesses not necessary to a
9 proper defense, all the costs of such witnesses and of subpoenaing the same
10 shall be taxed to the defendant or defendants.

§ 9. Prior to issuing the summons in commencing any suit under this
2 act, the plaintiff or plaintiffs shall file with the justice a rough sketch, or
3 plat, of the land to be drained, and that of all other persons across or upon
4 which such drain is to be constructed, showing the starting point of such
5 drain and its proposed course across or upon the land of others, and the
6 point of its discharge; and such plat shall be kept by the justice with the
7 other papers in said cause. A failure to comply with the provisions of this
8 section shall be sufficient cause for the dismissal of the suit at any time
9 before the trial is entered upon.

§ 10. If any person or persons shall wilfully fill up, injure or destroy any
2 drain constructed as herein required, or willfully prevent or delay the con-
3 struction of any drain in the manner provided by this act, or shall neglect
4 or refuse to keep the same open, as required by this act, such person or
5 persons shall be deemed guilty of a misdemeanor, and, upon conviction

6 thereof, for the first offense shall be fined in the sum of not less than one
7 hundred dollars, and for the second offense shall be fined in a sum of not
8 less than fifty nor more than two hundred dollars, and for each subsequent
9 offense shall be confined in the county jail for not less than thirty days nor
10 more than one year.

1. Introduced by Mr. Torrance, March 19, 1883, read first time and referred to Committee on Agriculture and Drainage.
2. Reported back with amendments, passage recommended, and ordered to second reading.
3. Second reading April 18, 1883, amendments adopted and ordered to third reading.

A BILL

For An Act to permit owners of land to construct drains for agricultural purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the owner or owners of land in this State shall be permitted to construct drains for agricultural purposes, only, into any natural water-course, or any natural depression whereby the water will be carried into any pond or natural water-course, or any drain on a public highway, if the road commissioners consent thereto, for the purpose of securing proper drainage to such land, without being liable in damages therefor to any other person or persons, or corporation.

§ 2. If the drain constructed is wholly upon the land owned by the person or persons constructing the same, it may be either an open or covered drain, as they desire.

§ 3. If the drain to be constructed shall lead across or upon the land of any other person or persons, and the owners of all the land upon which it is to be constructed can agree, it may be constructed in such manner as they may decide; when constructed such drain shall forever thereafter be kept open and in proper repair by the owner or owners of the land upon which the same or any part thereof is located, unless the owners of all the land upon which the drain is located shall agree to vacate or close the same.

§ 4. If the drain shall be constructed on or over the land of any other person or persons, without the consent of the owner or owners thereof, it shall consist of tile or some other material equally as good, and placed at a sufficient depth to be secure from the action of frost thereon, and the surface of the land left, as near as possible, in the same condition as before the entry thereon to construct such drain.

§ 5. If the owner or owners of land over which any other person or persons desire to drain shall not consent thereto, the person or persons desiring to drain may cause a summons to issue from any justice of the peace in the county, in the same form and returnable in the same manner as other summons in civil suits, and proceedings shall be had thereon as in other civil causes before justices of the peace: *Provided*, if the owner or owners of such land do not reside in said county, or cannot be found therein, summons may be served by leaving a copy with the person or persons in possession or in control of such premises.

§ 6. The justice, or jury, if a jury is impanelled, shall hear the evidence and if they find such drain, if constructed in the manner proposed, would not empty into a natural water-course, or natural depression, whereby the water would be carried into any natural water-course, or any drain on a public highway, by consent of the road commissioners, they shall find for the defendant; if they find such drain, if constructed, would empty into a natural water-course, or natural depression, whereby the water would be carried into any natural water-course, or any drain on a public highway, by consent of the road commissioners, they shall find for the plaintiff or plaintiffs, and shall allow the defendant or defendants such actual damages only as will be sustained by entering upon the land and constructing such drain. The judgment shall be final and conclusive between the parties.

§ 7. If, after judgment, the plaintiff or plaintiffs in such suit shall deem it best not to construct such drain, they may so state upon the docket of the justice, at the foot of such judgment, and pay all costs of such trial, but shall not again be permitted to commence a suit for the same purpose. If they desire to construct such drain, they shall first pay to the justice the judgment and costs taxed against them, and may thereupon enter upon such premises and construct such drain, and may thereafter, at all times, in proper season, enter upon said land for the purpose of repairing such drain; this right shall pass to the heirs or assigns of such land: *Provided*, that if the person or persons constructing such drain, or repairing the same, shall unnecessarily cause any damage to the owner or owners of such land, they shall forfeit and pay to such owner or owners three times the amount of such damage, to be recovered in any form of action.

§ 8. Before any person or persons shall be permitted to commence an action, as provided for herein, they shall file a bond in a sum not less than fifty dollars, with security to be approved by the justice, conditioned that they will pay all costs legally accruing in said cause, and all damages, if damages are awarded therein, within sixty days after the rendition of judgment, or pay all costs and abandon the construction of such drain in the manner provided by this act, within

6 the same time. If the defendant or defendants procure the attendance of any witnesses not
7 necessary to a proper defense, all the costs of such witnesses and of subpoenaing the same
8 shall be taxed to the defendant or defendants.

§ 9. Prior to issuing the summons in commencing any suit under this act, the plaintiff or
2 plaintiffs shall file with the justice a rough sketch, or plat, of the land to be drained, and that
3 of all other persons across or upon which such drain is to be constructed, showing the starting point
4 of such drain and its proposed course across or upon the land of others, and the point of its dis-
5 charge; and such plat shall be kept by the justice with the other papers in said cause. A failure
6 to comply with the provisions of this section shall be sufficient cause for the dismissal of the suit
7 at any time before the trial is entered upon.

§ 10. If any person or persons shall willfully fill up, injure or destroy any drain constructed
2 as herein required, or willfully prevent or delay the construction of any drain in the manner
3 provided by this act, or shall neglect or refuse to keep the same open, as required by this act,
4 such person or persons shall be deemed guilty of a misdemeanor, and, upon conviction thereof,
5 for the first offense shall be fined in the sum of not less than one hundred dollars, and for the
6 second offense shall be fined in a sum of not less than fifty nor more than two hundred dollars,
7 and for each subsequent offense shall be confined in the county jail for not less than thirty days
8 nor more than one year.



1. Reported to House May 18, 1883.
2. First reading May 22, 1883, and referred to Committee on Drainage.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 24, 1883.

A BILL

For An Act to permit owners of land to construct drains for agricultural purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That the owner or owners of land in this State shall be
3 permitted to construct drains for agricultural purposes, only, into any natural
4 water-course, or any natural depression whereby the water will be carried into
5 any natural water-course or any drain on a public highway, if the road
6 commissioners consent thereto, for the purpose of securing proper drainage
7 to such land, without being liable in damages therefor to any other person
8 or persons, or corporation.

§ 2. If the drain constructed is wholly upon the land owned by the person
2 or persons constructing the same, it may be either an open or covered drain,
3 as they desire.

§ 3. If the drain to be constructed shall lead across or upon the land of
2 any other person or persons, and the owners of all the land upon which it
3 is to be constructed can agree, it may be constructed in such manner as they
4 may decide; when constructed, such drain shall forever thereafter be kept
5 open and in proper repair by the owner or owners of the land upon which
6 the same or any part thereof is located, unless the owners of all the land
7 upon which the drain is located shall agree to vacate or close the same.

§ 4. If the drain shall be constructed on or over the land of any other person or persons, without the consent of the owner or owners thereof, it shall consist of tile or some other material equally as good, and placed at a sufficient depth to be secure from the action of frost thereon, and the surface of the land left, as near as possible, in the same condition as before the entry thereon to construct such drain.

§ 5. If the owner or owners of land over which any other person or persons desire to drain shall not consent thereto, the person or persons desiring to drain may cause a summons to issue from any justice of the peace in the county, in the same form and returnable in the same manner as other summons in civil suits, and proceedings shall be had thereon as in other civil causes before justices of the peace: *Provided*, if the owner or owners of such land do not reside in said county, or cannot be found therein, summons may be served by leaving a copy with the person or persons in possession or in control of such premises.

§ 6. The justice or jury, if a jury is empanelled, shall hear the evidence and if they find such drain, if constructed in the manner proposed, would not empty into a natural water-course, or natural depression whereby the water would be carried into any natural water-course, or any drain on a public highway, by consent of the road commissioners, they shall find for the defendant; if they find such drain, if constructed, would empty into a natural water-course, or natural depression whereby the water would be carried into any natural water-course, or any drain on a public highway, by consent of the road commissioners, they shall find for the plaintiff or plaintiffs, and shall allow the defendant or defendants such actual damages only as will be sustained by entering upon the land and constructing such drain. The judgment shall be final and conclusive between the parties.

§ 7. If, after judgment, the plaintiff or plaintiffs in such suit shall deem it best not to construct such drain, they may so state upon the docket of the justice, at the foot of such judgment, and pay all costs of such trial, but shall not again be permitted to commence a suit for the same purpose. If they desire to construct such drain, they shall first pay to the justice the

6 judgment and costs taxed against them, and may thereupon enter upon such
 7 premises and construct such drain, and may thereafter, at all times, in proper
 8 season, enter upon said land for the purpose of repairing such drain; this
 9 right shall pass to the heirs or assigns of such land: *Provided*, that if the
 10 person or persons constructing such drain, or repairing the same, shall
 11 unnecessarily cause any damage to the owner or owners of such land, they
 12 shall forfeit and pay to such owner or owners three times the amount of
 13 such damage, to be recovered in any form of action.

§ 8. Before any person or persons shall be permitted to commence an
 2 action, as provided for herein, they shall file a bond in a sum not less
 3 than fifty dollars, with security to be approved by the justice, conditioned
 4 that they will pay all costs legally accruing in said cause, and all damages,
 5 if damages are awarded therein, within sixty days after the rendition of
 6 judgment, or pay all costs and abandon the construction of such drain in
 7 the manner provided by this act, within the same time. If the defendant or
 8 defendants procure the attendance of any witnesses not necessary to a
 9 proper defense, all the costs of such witnesses and of subpoenaing the same
 10 shall be taxed to the defendant or defendants.

§ 9. Prior to issuing the summons in commencing any suit under this
 2 act, the plaintiff or plaintiffs shall file with the justice a rough sketch, or
 3 plat, of the land to be drained, and that of all other persons across or upon
 4 which such drain is to be constructed, showing the starting point of such
 5 drain and its proposed course across or upon the land of others, and the
 6 point of its discharge; and such plat shall be kept by the justice with the
 7 other papers in said cause. A failure to comply with the provisions of this
 8 section shall be sufficient cause for the dismissal of the suit at any time
 9 before the trial is entered upon.

§ 10. If any person or persons shall willfully fill up, injure or destroy any
 2 drain constructed as herein required, or willfully prevent or delay the construc-
 3 tion of any drain in the manner provided by this act, or shall neglect or re-
 4 fuse to keep the same open, as required by this act, such person or persons
 5 shall be deemed guilty of a misdemeanor, and, upon conviction thereof, for

6 the first offense shall be fined in the sum of not less than twenty-five, nor more
7 than one hundred dollars, and for the second offense shall be fined in a sum
8 of not less than fifty, nor more than two hundred dollars, and for each subse-
9 quent offense shall be confined in the county jail for not less than thirty days
10 nor more than one year.

Amend by adding the following section:

"Section 11. Nothing herein contained shall be construed to repeal any
2 act or part of an act now in force in this State upon the subject of drainage
3 or levying."

1. Introduced by Mr. Mason, March 20, 1883, and ordered to first reading.
2. First reading March 20, 1883, and referred to Committee on Corporations.
3. Reported back April 13, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to declare owners and managers of sleeping cars common carriers, and to prescribe
certain duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That all persons, companies and corporations owning or operating sleeping cars in
this State are hereby declared common carriers.

§ 2. Whenever any person or persons shall pay for the use and occupancy of a double lower
berth in any sleeping car in this State, such person or persons so paying for and occupying such
berth shall have the right to say to the conductor, porter or other person in charge of such
sleeping car, whether the upper double berth shall be opened or closed until such upper berth
actually sold and occupied, and it shall be the duty of such person, company or corporation own-
ing or operating such sleeping car to comply with the request of such person or persons who
have paid for the use of such double lower berth.

§ 3. Any person, company or corporation refusing to comply with the provisions of this act
shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty
dollars (\$50), nor more than two hundred dollars (\$200).

§ 4. All fines imposed and collected for any violation of the provisions of this act shall be
paid to the treasurer of the city, town or village where such fine is imposed, for the use and ben-
efit of the public common schools.



1. Introduced by Mr. Edwards, March 20, 1883, and ordered to first reading.
2. First reading March 20, 1883, and referred to Committee on Judicial Department.
3. Reported back March 28, 1883, passage recommended and referred to Committee on Appropriations.
4. Reported back May 3, 1883, with amendment, passage recommended and ordered to a second reading.

AMENDMENT TO SENATE BILL NO. 348, RECOMMENDED BY COMMITTEE
ON APPROPRIATIONS.

Amend by striking out the words and figures, "five thousand dollars (\$5,000)," in section 2 one of written bill, and insert in lieu thereof the words and figures, "four thousand dollars (\$4,000)."

A BILL

For an act making an appropriation for the purchase of books for the State law library at the Capitol.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *Assembly:* That there is hereby appropriated for the purchase of books for the State law li-
3 brary at the Capitol, the sum of five thousand dollars (\$5,000).

§ 2. The judges of the Appellate Court for the Third District are hereby authorized, and
2 directed, as soon as they think proper after this act shall be in force, to select and purchase
3 for the use of said library, such books as in their judgment are most useful and necessary, the
4 total cost of said books not to exceed the sum hereby appropriated, and on the presentation of
5 the account of the purchase of such books by said judges, or a majority of them, the Auditor
6 shall draw a warrant on the State Treasurer for the amount or amounts thereof, payable to
7 the holder of such certificate or certificates out of the money hereby appropriated.

1. Introduced by Mr. Edwards, March 20, 1883, and ordered to first reading.
2. First reading March 20, 1883, and referred to Committee on Judicial Department.
3. Reported back March 28, 1883, passage recommended and referred to Committee on Appropriations.
4. Reported back May 3, 1883, with amendment, passage recommended and ordered to a second reading.
5. Second reading May 9, 1883, amended, and ordered to third reading.

A BILL

For an act making an appropriation for the purchase of books for the State law library at the Capitol.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated for the purchase of books for the State law library at the Capitol, the sum of four thousand dollars (\$4,000).

§ 2. The judges of the Appellate Court for the Third District are hereby authorized, and directed, as soon as they think proper after this act shall be in force, to select and purchase for the use of said library, such books as in their judgment are most useful and necessary, the total cost of said books not to exceed the sum hereby appropriated, and on the presentation of the account of the purchase of such books by said judges, or a majority of them, the Auditor shall draw a warrant on the State Treasurer for the amount or amounts thereof, payable to the holder of such certificate or certificates out of the money hereby appropriated.



1. Reported to House May 16, 1883.
2. First reading May 17, 1883, and referred to Committee on Appropriations.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 18, 1883.

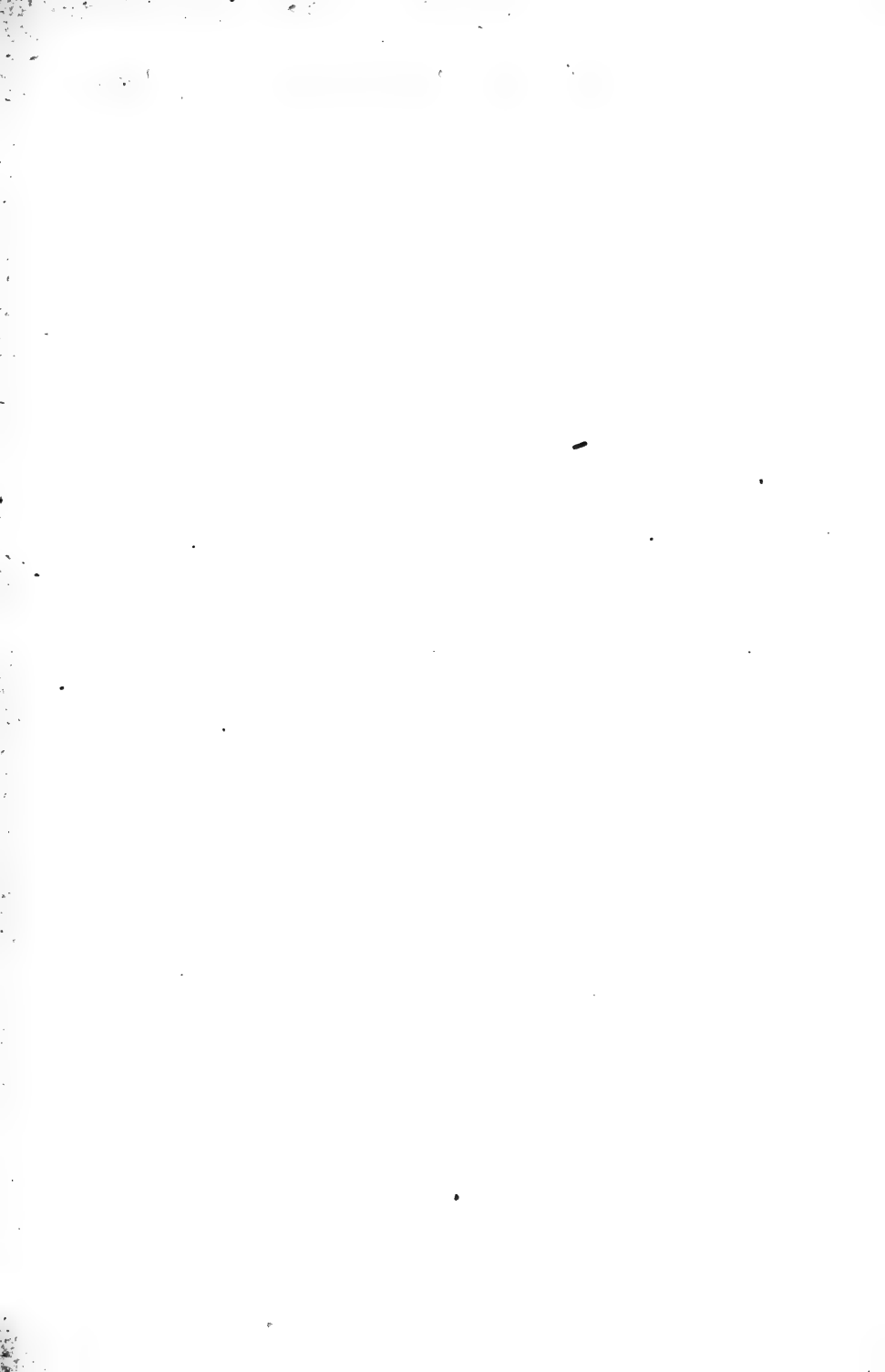
A BILL

For an act making an appropriation for the purchase of books for the State law library at the Capitol.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That there is hereby appropriated for the purchase of books for the State
3 law library at the Capitol, the sum of four thousand dollars (\$4,000).

§ 2. The judges of the Appellate Court for the Third District are hereby authorized, and
2 directed, as soon as they think proper after this act shall be in force, to select and purchase
3 for the use of said library, such books as in their judgment are most useful and necessary, the
4 total cost of said books not to exceed the sum hereby appropriated, and on the presentation of
5 the account of the purchase of such books by said judges, or a majority of them, the Auditor
6 shall draw a warrant on the State Treasurer for the amount or amounts thereof, payable to
7 the holder of such certificate or certificates out of the money hereby appropriated.



1. Introduced by Mr. Edwards, March 20, 1883, and ordered to first reading.
2. First reading March 20, 1883, and referred to Committee on Judicial Department.
3. Reported back March 28, 1883, passage recommended, and referred to Committee on Appropriations
4. Referred back May 3, 1883, with amendment, passage recommended and ordered to a second reading.

AMENDMENT TO SENATE BILL NO. 349. RECOMMENDED BY COMMITTEE ON
APPROPRIATION.

Amend by striking out the words and figures "three thousand dollars (\$3,000)" in section one of
written bill, and insert in lieu thereof the words and figures "two thousand dollars (\$2,000)."

A BILL

For an Act making an appropriation for refurnishing and carpeting the State Library Room at
the Capitol.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General
Assembly:* That there is hereby appropriated for refurnishing and carpeting the State Law
Library room, at the Capitol, the sum of three thousand dollars (\$3,000), or so much thereof as
may be necessary.

§ 2. The said sum shall be expended under the direction of the Judges of the Supreme
Court, and shall be paid in warrants to be issued by the Auditor of Public Accounts upon the
State Treasurer upon the order of said Judges in such sums as they may from time to time
require. The vouchers for such expenditures shall be filed with the Auditor of Public Ac-
counts.



1. Introduced by Mr. Edwards, March 20, 1883, and ordered to first reading.
2. First reading March 20, 1883, and referred to Committee on Judicial Department.
3. Reported back March 28, 1883, passage recommended, and referred to Committee on Appropriations
4. Referred back May 3, 1883, with amendment, passage recommended and ordered to a second reading.
5. Second reading May 9, 1883, amended, and ordered to third reading.

A BILL

For an Act making an appropriation for refurnishing and carpeting the State Law Library Room at the Capitol.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That there is hereby appropriated for refurnishing and carpeting the State Law
3 Library room, at the Capitol, the sum of two thousand dollars (\$2,000), or so much thereof as
4 may be necessary.

§ 2. The said sum shall be expended under the direction of the Judges of the Supreme
2 Court, and shall be paid in warrants to be issued by the Auditor of Public Accounts upon the
3 State Treasurer, upon the order of the said Judges, in such sums as they may from time to time
4 require. The vouchers for such expenditures shall be filed with the Auditor of Public Ac-
5 counts.



1. Reported to House May 16, 1883.
2. First reading May 17, 1883, and referred to Committee on Appropriations.
3. Reported back with committee amendment, passage recommended, report concurred in, and ordered to second reading May 18, 1883.

COMMITTEE AMENDMENT TO SENATE BILL NO. 349.

Strike out the words and figures "two thousand (\$2,000)," in lines 5 and 6 of section 1, and insert the words and figures "one thousand (1,000)."

A BILL

For an Act making an appropriation for refurnishing and carpeting the State Law Library Room at the Capitol.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated for refurnishing and carpeting the State Law Library room, at the Capitol, the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary.

§ 2. The said sum shall be expended under the direction of the Judges of the Supreme Court, and shall be paid in warrants to be issued by the Auditor of Public Accounts upon the State Treasurer, upon the order of the said Judges, in such sums as they may from time to time require. The vouchers for such expenditures shall be filed with the Auditor of Public Accounts.



1. Introduced by Mr. Sunderland, March 30, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back March 24, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section fifty-one (51) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1873, in force July 1, 1873, and amended by an act approved June 3, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That section fifty-one (51), of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1873, in force July 1, 1873, and amended by an act approved June 3, 1879, in force July 1, 1879, be amended to read as follows:

"Section 51. It shall be the duty of the county superintendents to hold meetings at least quarterly, and oftener if necessary, for the examination of teachers, on such days and such places in the respective counties as will, in their opinion, accommodate the greatest number of persons desiring such examination. Notice of such meetings shall be published a sufficient length of time, in at least, one newspaper of general circulation, the expense of such publication to be paid out of the school fund. The county superintendent shall, in all cases, require the payment of a fee of one dollar from every applicant for examination for a teacher's certificate; and for each renewal of such a certificate, he shall require the payment of a fee of one dollar. All monies so received, and the registration fees hereinafter provided for, he shall transmit monthly to the county treasurer, to be by him held and designated as the institute fund, and with the same the county superintendent shall give the treasurer a list of the names of the persons paying such fees. Said fund shall be paid out by the county treasurer, only upon the order of the county superintendent, and only to defray the expenses of the teachers' institutes, which the county superintendent is by this section authorized to hold. The county board of any county may appropriate such additional sum as may by them be deemed necessary for the support of such

institutes. The county superintendent shall take vouchers for all payments made out of the institute fund, and he shall render an account of such disbursements with vouchers for the same to the county board at their regular meeting in September, annually. The county superintendent shall hold annually, a teachers' institute, continuing in session not less than five days, for the instruction of teachers and those who may desire to teach, and with the concurrence of the State Superintendent of Public Instruction, procure such assistance as may be necessary to conduct the same at such time as the schools in the county are generally closed: *Provided*, that two or more adjoining counties may hold an institute together. At every such institute instruction shall be free to such as hold certificates good in the county (or counties, when two or more join to hold an institute) in which the institute is held; but the county superintendent shall require all others attending, to pay to him a registration fee of one dollar, except those who have paid an examination fee as required by this act, and failed to receive a certificate."

1. Introduced by Mr. Sunderland, March 20, 1883, and ordered to first reading.
2. First reading March 20, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back March 24, 1883, passage recommended, and ordered to second reading.
4. Second reading April 24, amended and ordered to third reading.

A BILL

For An Act to amend section fifty-one (51), of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, and amended by an act approved June 3, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section fifty-one (51), of an act entitled "An act to
3 establish and maintain a system of free schools," approved April 1, 1872, in force
4 July 1, 1872, and amended by an act approved June 3, 1879, in force July 1, 1879,
5 be amended, to read as follows:
6 "Section 51. It shall be the duty of the county superintendents to hold
7 meetings at least quarterly, and oftener if necessary, for the examination of
8 teachers, on such days and such places in the respective counties as will, in
9 their opinion, accommodate the greatest number of persons desiring such
10 examination. Notice of such meetings shall be published a sufficient length of
11 time, in at least one newspaper of general circulation, the expense of such
12 publication to be paid out of the school fund. The county superintendent shall,
13 in all cases, require the payment of a fee of one dollar from every applicant for
14 examination for a teacher's certificate, when a certificate is granted; and for
15 each renewal of such a certificate, he shall require the payment of a fee of one
16 dollar. All moneys so received, and the registration fees hereinafter provided
17 for, he shall transmit monthly to the county treasurer, to be by him held and

the institute fund, and with the same the county superintendent shall give the treasurer a list of the names of the persons paying such fees. Said fund shall be paid out by the county treasurer, only upon the order of the county superintendent, and only to defray the expenses of the teachers' institutes, which the county superintendent is by this section authorized to hold. The county superintendent shall take vouchers for all payments made out of the institute fund, and he shall render an account of such disbursements with vouchers for the same to the county board at their regular meeting in September, annually. The county superintendent shall hold annually, a teachers' institute, continuing in session not less than five days, for the instruction of teachers and those who may desire to teach, and with the concurrence of the State Superintendent of Public Instruction, procure such assistance as may be necessary to conduct the same at such time as the schools in the county are generally closed: *Provided*, that two or more adjoining counties may hold an institute together. At every such institute instruction shall be free to such as hold certificates good in the county (or counties, when two or more join to hold an institute) in which the institute is held; but the county superintendent shall require all others attending, to pay to him a registration fee of one dollar, except those who have paid an examination fee as required by this act, and failed to receive a certificate."

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1. Reported to House May 4, 1883.
 2. First reading May 21, 1883, and referred to Committee on Education.
 3. Reported back with amendment, passage recommended, report concurred in, and ordered to second reading May 26, 1883.
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COMMITTEE AMENDMENT TO SENATE BILL NO. 351.

Amend by striking out, in thirtieth line of written bill, the words "when a certificate is granted."

A BILL

For An Act to amend section fifty-one (51) of an act entitled "An act to establish and maintain a system of free schools," approved April 1, 1872, in force July 1, 1872, and amended by an act approved June 3, 1879, in force July 1, 1879

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section fifty-one (51) of an act entitled "An act to
3 establish and maintain a system of free schools," approved April 1, 1872, in
4 force July 1, 1872, and amended by an act approved June 3, 1879, in force July
5 1, 1879, be amended, to read as follows:
6 "Section 51. It shall be the duty of the county superintendents to hold
7 meetings at least quarterly, and oftener if necessary, for the examination of
8 teachers, on such days and such places in the respective counties as will, in
9 their opinion, accommodate the greatest number of persons desiring such
10 examination. Notice of such meetings shall be published a sufficient length of
11 time, in at least one newspaper of general circulation, the expense of such

12 publication to be paid out of the school fund. The county superintendent
 13 shall, in all cases, require the payment of a fee of one dollar from every
 14 applicant for examination for a teacher's certificate, when a certificate is granted;
 15 and for each renewal of such a certificate, he shall require the payment of a fee
 16 of one dollar. All moneys so received, and the registration fees hereinafter
 17 provided for, he shall transmit monthly to the county treasurer, to be by him
 18 held and designated as the institute fund, and with the same the county super-
 19 intendent shall give the treasurer a list of the names of the persons paying such
 20 fees. Said fund shall be paid out by the county treasurer only upon the order
 21 of the county superintendent, and only to defray the expenses of the teachers'
 22 institutes, which the county superintendent is by this section authorized to hold.
 23 The county superintendent shall take vouchers for all payments made out
 24 of the institute fund, and he shall render an account of such disbursements
 25 with vouchers for the same to the county board at their regular meeting in
 26 September, annually. The county superintendent shall hold, annually, a
 27 teachers' institute, continuing in session not less than five days, for the in-
 28 struction of teachers and those who may desire to teach, and, with the con-
 29 currence of the State Superintendent of Public Instruction, procure such
 30 assistance as may be necessary to conduct the same at such time as the
 31 schools in the county are generally closed: *Provided*, that two or more
 32 adjoining counties may hold an institute together. At every such institute
 33 instruction shall be free to such as hold certificates good in the county (or
 34 counties, when two or more join to hold an institute) in which the institute
 35 is held; but the county superintendent shall require all others attending, to
 36 pay to him a registration fee of one dollar, except those who have paid an
 37 examination fee as required by this act, and failed to receive a certificate."

1. Introduced by Mr. Mason, March 21, 1883, and ordered to first reading.
2. First reading March 21, 1883, and referred to Committee on Municipalities.
3. Reported back April 13, 1883, and recommended that it be placed on calendar for second reading. Report concurred in.

A BILL

For An Act to amend section 14 of article 9 of "An act for the incorporation of cities and villages,"
approved April 10, 1873.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

2 SECTION 1. That section 14 of article 9 of "An act for the incorporation of cities and villages,"
3 approved April 10, 1873, be and the same is hereby amended so as to read as follows:
4 "Section 14. Any final judgment or judgments rendered by said court, upon any finding or
5 findings of any jury or juries, shall be a lawful and sufficient condemnation of the land or
6 property to be taken, upon the payment of the amount of such finding as hereinafter provided.
7 It shall be final and conclusive as to the damages caused by such improvement, unless such
8 judgment or judgments shall be appealed from; but no appeal or writ of error upon the same
9 shall delay proceedings under said ordinance, if such city or village shall deposit, as directed by
10 the court, the amount of the judgment and costs, and shall file a bond in the court in which such
11 judgment was rendered, in a sum to be fixed and with security to be approved by the judge of
12 said court, which shall secure the payment of any future compensation which may at any time
13 be finally awarded to such party so appealing or suing out such writ of error, and his or her
14 costs. The city council or board of trustees may, after the ascertainment as aforesaid of the
15 compensation for property to be taken or damaged, abandon by ordinance any part of the pro-
16 posed improvement, and in such case like proceedings shall be had for the payment of the costs
17 and expenses of the remainder of the improvement, as would be in case no part of the improve-
18 ment was abandoned."

§ 2. Whereas, the public interest requires said amendment to be in operation without delay; therefore, an emergency exists. This act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Mason, March 21, 1883, and ordered to first reading.
2. First reading March 21, 1883, and referred to Committee on Municipalities.
3. Reported back April 13, 1883, and recommended that it be placed on calendar for second reading. Report concurred in.
4. Second reading April 25, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend section 14 of article 9, of "An act for the incorporation of cities and villages," approved April 10, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That section 14 of article 9, of "An act for the incorporation of cities and villages,"

approved April 10, 1872, be and the same is hereby amended, so as to read as follows:

"Section 14. Any final judgment or judgments rendered by said court, upon any finding or findings of any jury or juries, shall be a lawful and sufficient condemnation of the land or property to be taken, upon the payment of the amount of such finding as hereinafter provided.

It shall be final and conclusive as to the damages caused by such improvement, unless such judgment or judgments shall be appealed from: but no appeal or writ of error upon the same

shall delay proceedings under said ordinance, if such city or village shall deposit, as directed by the court, the amount of the judgment and costs, and shall file a bond in the court in which such

judgment was rendered, in a sum to be fixed and with security to be approved by the judge of said court, which shall secure the payment of any future compensation which may at any time be

finally awarded to such party so appealing or suing out such writ of error, and his or her costs. The city council or board of trustees may, after the ascertainment as aforesaid of the compensation

for property to be taken or damaged, abandon by ordinance any part of the proposed improvement: *Provided*, the remainder shall be one continuous improvement extending from an

existing street or intersecting street, and terminating at another intersecting street. Then and in that case, like proceedings shall be had to raise the money to defray the cost of the

remainder of such improvement as would be in case the part of the improvement so aban-

20 done had not been included in the ordinance ordering the improvement: *And, provided,*
21 *further,* that any special assessment made to defray the cost of the remainder of such im-
22 provement shall be confined to the property deemed specially benefited thereby."

1. Introduced by Mr. Condee, March 21, 1883, and ordered to first reading.
2. First reading March 21, 1883, and referred to Committee on Judiciary.
3. Reported back March 28, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section 1, of article IX, of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, A. D. 1872.

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section 1, of article IX, of an act entitled "An act to provide for the incorpora-

3 tion of cities and villages," approved April 10, A. D. 1872, be amended, so as to read as follows:

4 'Section 1. The corporate authorities of cities and villages (incorporated under this act, and

5 such cities and incorporated towns and villages as shall adopt the provisions of this article, as

6 provided by section 54, hereof) are hereby vested with power to make local improvements by

7 special assessments, or by special taxation, or both, of contiguous property or general taxation or

8 otherwise, as they shall, by ordinance, prescribe, and when such corporate authorities shall deem

9 it necessary for the purpose of erecting, constructing, locating, maintaining any such local im-

10 provement, any such city, incorporated town or village may go beyond its territorial limits, and

11 may take hold and acquire property and real estate by purchase or otherwise, and shall also have

12 the power to hold and acquire and condemn any and all necessary property and real estate for

13 the location, erection, construction and maintaining such local improvement in the manner pro-

14 vided, for the taking and condemning of private property for public use; and may also acquire

15 and hold real estate and other property, and rights necessary for the location, erection, construc-

16 tion and maintenance of any such local improvement."

1. Introduced by Mr. Shumway, March 21, 1883, and ordered to first reading.
2. First reading March 21, 1883, and referred to Committee on Miscellany.
3. Reported back March 23, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to prevent fraudulent, immoral or criminal advertising, or solicitation in connection with the practice of medicine and surgery.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
1 *General Assembly:* That it shall be unlawful for any person or persons pro-
2 fessing to heal the sick, or to remove deformities, to publish, or otherwise
3 set forth, in the State of Illinois, their powers, promises, or claims, by any
4 advertisement, card, circular, handbill, pamphlet, book, writing or lecture,
5 in the manner usual to the chronic or private disease specialist, or to solicit
6 practice by agents, or otherwise, in any but the ordinary methods of repu-
7 table physicians.

§ 2. That it shall be unlawful for any person or persons to furnish or
1 sell, or to advertise for sale, any instrument appliance, apparatus, drug, nos-
2 trum, operation, or other device, for the prevention of conception, for the
3 procuring of abortion, or for any other criminal or immoral purpose.

§ 3. That each and every violation of this act, in any of its provisions,
1 shall be punished by a fine of not less than fifty (50) dollars, nor more than
2 five hundred (500) dollars, or by imprisonment in a county jail for a period
3 of not less than thirty (30) days, nor more than three hundred and sixty-five
4 (365) days, or by both such fine and imprisonment.



1. Reported to House May 23, 1883.
2. First reading May 26, 1883, and ordered to second reading.

A BILL

For An Act to prevent fraudulent, immoral or criminal advertising, or solicitation
in connection with the practice of medicine and surgery.

SECTION 1 *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly: That it shall be unlawful for any person or persons professing to heal the sick, or to remove deformities, to publish, or otherwise set forth, in the State of Illinois, their powers, promises or claims, by any advertisement, card, circular, handbill, pamphlet, book, writing or lecture, in the manner usual to the chronic or private disease specialist, or to solicit practice by agents, or otherwise, in any but the ordinary methods of reputable physicians.

§ 2. That it shall be unlawful for any person or persons to furnish or sell, or to advertise for sale, any instrument appliance, apparatus, drug, nostrum, operation or other device, for the prevention of conception, for the procuring of abortion or for any other criminal or immoral purpose.

§ 3. That each and every violation of this act, in any of its provisions, shall be punished by a fine of not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars, or by imprisonment in a county jail for a period of not less than thirty (30) days, nor more than three hundred and sixty-five (365) days, or by both such fine and imprisonment.



1. Introduced by Mr. Merritt, March 21, 1883, and ordered to first reading.
2. First reading, March 21, 1883, and referred to Committee on Judiciary.
3. Reported back April 24, 1883, with a recommendation that it do not pass, and ordered to lay on table.
4. May 1, 1883, taken up from table, and ordered printed for use of the Senate.

A BILL

For An Act to provide for the appointment of inspector and deputy inspector of mineral oils and other substances; to regulate the sale of the same for illuminating and other purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That all mineral or petroleum oil, or any oil fluid or
3 substance which is a product of petroleum, or into which petroleum, or any
4 product of petroleum enters or is found as a constituent element, and all
5 lard, linseed and cotton-seed oils, and all mineral, animal and vegetable oils
6 and turpentine, whether manufactured within this State or not, shall be
7 inspected as provided in this act, before being offered for sale or sold for
8 consumption for illuminating and other purposes within this State; and
9 such inspection shall be conducted as herein provided, in the following man-
10 ner, to-wit:

11 Refined petroleum shall be standard white or better, with a burning test of
12 — Fahrenheit or upward, and of a specific gravity not below 45° Beaume.
13 The burning test of the refined petroleum shall be determined by the use
14 of the Saybolt Electric Instrument, used according to the published rules of
15 the inventor, and shall be operated in arriving at a result as follows, viz:
16 In 110° and upwards, the flashing points, after the first flash (which will
17 generally occur between 90° and 95°), shall be taken at 95°, 100°, 104°,
18 108°, 110°, 112° and 115°. In 120° and upwards, after first flash, at 100°.

19 105°, 110°, 115°, 118°, 120°, 122° and 125°. In 130° and upwards, every
20 five degrees until burning point is reached.

21 Refined petroleum shall be delivered in blue, well-painted barrels, with
22 white heads. Barrels shall be well glued and filled within one or two
23 inches of the bung, and have branded thereon the name of the manufac-
24 turer.

25 Refined petroleum in barrels—or put up in tin cases—shall be sold by
26 weight, at the rate of six and one-half pounds net to the gallon.

27 The tares of refined petroleum, in barrels, shall be weighted by half-
28 pounds, and gross weight by pounds.

29 Buyers of refined petroleum may test, at their own expense, the correct-
30 ness of the gross weight or gauge of the whole or part of any lot delivered,
31 and the average shortage found on a portion of not less than ten per cent.,
32 shall be taken as the average amount to be deducted from the lot.

33 The tare shall be plainly marked upon each barrel of refined petroleum,
34 before it is filled. Buyers may test the accuracy of the tare so marked, to
35 the extent of ten per cent. of the lot, and the average difference between
36 the tare thus ascertained, and the marked tare on the barrels tested, shall
37 be accepted as the average difference on the entire lot. Any excess of tare
38 so discovered shall be allowed buyer.

39 All lard oil and cotton-seed oil shall be tested by the following method:
40 The oil to be tested shall be taken from at least one-quarter of the barrels
41 sold or delivered, and, when well mixed together, shall be placed in a glass
42 bottle, such as is now used to test the specific gravity of paraffine and other
43 oils, and shall not be over four, or under two inches in diameter, nor over
44 ten, or under six inches in height. The thermometer shall be placed in the
45 oil, and when it indicates the degree to be tested at, it must not be allowed
46 to go more than one degree below or one degree above that point. After
47 remaining four hours, if the oil shows no evidence of congealing, it shall
48 constitute a good delivery.

49 Tares shall be tested, if required by either buyer or seller, by emptying
50 ten barrels in each one hundred barrels, to be taken indiscriminately from
51 the lot.

52 Prime lard oil shall be bright and sweet, and shall have the flavor of good,
 53 sound lard. Whiteness with lack of flavor, or any indication of rancidity,
 54 shall not constitute prime or contract oil. All animal oils shall be sold by
 55 weight, at the rate of seven and one-half (7½) pounds net to the gallon.

56 The winter test of lard oils of all grades shall be 48° Fahrenheit, or
 57 under. The spring and fall test of lard oils of all grades shall be 55° Fah-
 58 renheit, or under. The summer test of lard oils of all grades shall be 65°
 59 Fahrenheit, or under.

60 Naphtha shall be water white and sweet, and of gravity from 63° to 73°
 61 Beaume,

62 Naphtha in barrels shall be sold by weight at the rate of five and three-
 63 quarter pounds to the gallon.

64 Barrels containing naphtha shall be painted blue, with white heads, and
 65 be well glued, and have branded thereon the name of the manufacturer.

66 Naphtha shall be weighed and may be tested by the buyer, as provided
 67 in the foregoing rules relating to refined petroleum.

68 Residuum shall be understood to be the refuse from the distillation of crude
 69 petroleum, free from coke and water and from any foreign impurities.

70 Residuum, when sold in barrels, shall be sold by weight, at the rate of
 71 seven and one-half pounds net per gallon.

72 Residuum shall be weighed and may be tested by the buyer, as provided
 73 in the foregoing rules relating to refined petroleum.

74 Paraffine and mineral lubricating oils and linseed oils are to be sold by
 75 weight at the rate of seven and one-half pounds to the gallon, and the casks,
 76 packages or barrels containing the same shall be branded with the manu-
 77 facturer's name.

78 Turpentine shall be sold by weight at the rate of seven and a quarter
 79 pounds per gallon, and have branded thereon the name of the manufac-
 80 turer.

§ 2. That the Governor of this State shall appoint a skilled, suitable per-
 2 son, by and with the advice and consent of the Senate, a resident of this
 3 State, who is not interested in manufacturing, dealing or vending any

4 illuminating oils manufactured from petroleum, or any of the other oils or
5 substances mentioned in the first section of this act, as State inspector and
6 weigher of said oils and turpentine, whose term of office shall be for two
7 years from the date of his appointment, and until his successor shall be
8 appointed and qualified. Such inspector, when so appointed and qualified,
9 is hereby empowered to appoint a suitable number of deputies, which depu-
10 ties are hereby empowered to perform the duties of inspection and weighing,
11 and shall be liable to the same penalties as the State inspector. And such
12 State inspector may remove any of said deputies for reasonable cause, and
13 appoint others in their place. It shall be the duty of such State inspector
14 and his deputies to provide themselves, at their own expense, with the neces-
15 sary instruments and apparatus, and stencils, brands and stamps for testing,
16 weighing and marking the quality of said oils and turpentine, and when
17 called upon for that purpose, to promptly inspect and weigh all oils and
18 turpentine herein mentioned, and to reject, for consumption in this State,
19 all oils and turpentine which, by being adulterated with naphtha, benzine,
20 paraffine or other light oils or other substance, or for any other reason, will
21 not stand and be equal to the test herein prescribed. Such State inspector
22 shall prepare the forms of all stencils, brands and stamps provided for in
23 this act, and also such general regulation rules for inspection, not incon-
24 sistent with the terms and provisions of this act, and such rules and regu-
25 lations shall be binding on all deputy inspectors in this State. Such State
26 inspector, or his deputies, are hereby required, and it is made their duty, to
27 test the quality of all mineral or petroleum oils, or any oil, fluid or sub-
28 stance which is a product of petroleum, or into which petroleum or any
29 product of petroleum enters or is found as a constituent element, and all
30 lard, linseed and cotton-seed oil, and all mineral, animal and vegetable oils
31 and turpentine, which are offered or intended to be offered for sale for
32 illuminating and other purposes in this State; and if, upon such testing or
33 examination, the same shall meet the requirements herein specified, the
34 said inspector, or his deputies, shall affix by stencil or brand, on any pack-
35 age, cask or barrel containing the same, and by a stamp subscribed with

36 his official signature, the word "approved," with the date of such inspection;
37 and it shall then be lawful for any manufacturer, vender or dealer to sell
38 the same, to be consumed within this State; but if the oil or turpentine so
39 tested shall not meet such requirements, he shall mark, by stencil or brand
40 in plain letters, on any package or barrel containing the same, and by a
41 stamp, subscribed with his official signature, the word "rejected," giving the
42 date of such inspection. And it shall be unlawful for the owner thereof to
43 sell oil or turpentine so branded as rejected, to be consumed within this
44 State for any purpose; and if any person shall sell or offer for sale such
45 rejected oil or turpentine, he shall be deemed guilty of a misdemeanor, and
46 shall be subject to a penalty in any sum not less than one thousand dol-
47 lars, or be imprisoned in the county jail not exceeding ninety days, or both.

§ 3. Every person appointed State inspector, or deputy inspector, shall,
2 before he enters upon the discharge of the duties of his office, take an oath
3 or affirmation prescribed by the constitution and laws of this State, and
4 shall file the same in the office of the Secretary of State. The State inspec-
5 tor shall execute a bond to the State of Illinois in the sum of twenty
6 thousand dollars, with such surety as shall be approved by the Secretary
7 of State, conditioned for the faithful performance of the duties imposed
8 upon him by this act, which bond shall be for the use of all persons in any
9 way aggrieved or injured by the acts or neglect of said inspector, and the
10 same shall be filed with the Secretary of State. Said inspector shall be
11 subject to removal by the Governor for any violation or neglect of his
12 duties as herein prescribed. The deputy inspector shall execute a like bond
13 to the State of Illinois in the sum of five thousand dollars, with such surety
14 as shall be approved by the judge of the county court, where said inspec-
15 tor is located, and file the same with the clerk of the county where the
16 deputy inspector resides. Said inspector, or deputy inspector, shall be
17 entitled to demand and receive from the owner or party calling on him, or
18 for whom he shall perform the inspection, the sum of twenty-five cents for
19 a single barrel, package or cask, fifteen cents each when the lot does not
20 exceed ten in number, ten cents each when the lot does not exceed twenty

21 in number, and five cents each for all lots exceeding twenty barrels. Said
22 inspector or deputy inspector shall receive in addition to the foregoing
23 fees, a like amount for weighing said barrels, packages or casks. And all
24 fees so accruing shall be a lien on the oil and turpentine so inspected or
25 weighed. It shall be the duty of every inspector, or deputy inspector, to
26 keep a true and accurate record of all oils and turpentine so inspected and
27 branded by him, together with the name of the manufacturer and the
28 brand of the article on the cask, package or barrel, which record shall state
29 the date of the inspection, number of barrels and the name of the person
30 for whom inspected, and such record shall be open to the inspection of any
31 and all persons interested. And every deputy inspector shall, on the first
32 Monday of each and every month, make a true and accurate return to the
33 State inspector, of all such inspections for the preceding month, giving the
34 quantity inspected, the date of the inspection and the name of the person
35 for whom it is inspected and the brand or manufacturer's name on the
36 barrel, and said deputy inspector to keep a copy of said reports, which shall
37 be open to public inspection. On the second Monday in January, in each
38 and every year, the State inspector shall make and deliver to the Governor
39 of this State an annual report of the inspections by himself and deputies
40 during the preceding calendar year.

41 Any inspector, or deputy inspector, who shall be found guilty of making
42 false marks or brands upon any cask, package or barrel, or shall be found
43 guilty of any breach of duty in his said office, shall be deemed guilty of a
44 misdemeanor, and shall be fined in any sum not exceeding one thousand
45 dollars nor less than five hundred dollars, and shall be removed from his
46 office as such inspector or deputy inspector. If any property is destroyed
47 by fire, or if any person is injured or killed by the explosion of oils in use
48 after inspection, when below the legal fire test thereof, the inspector or
49 deputy inspector who inspected the same shall be liable on his bond.

§ 4. That if any person or persons, for themselves, or as agents for any
2 person, shall sell, or attempt to sell to any person in this State, any such
3 oils or turpentine to be consumed within this State for any purpose, whether

4 manufactured in this State or not, before having the same inspected or weighed as
 5 provided in this act, he shall be deemed guilty of a misdemeanor, and shall
 6 be subject to a penalty, and upon conviction thereof shall be fined in any
 7 sum not less than five hundred dollars, and not exceeding one thousand
 8 dollars. And if any person or manufacturer shall falsely brand any pack-
 9 age, cask or barrel, as provided in this act, or shall refill and use any pack-
 10 age, cask or barrel having the inspector's brand thereon, without having the
 11 oil or turpentine therein inspected or weighed, or shall alter any of the
 12 marks or brands on any cask, package or barrel after the same has been in-
 13 spected, weighed, marked or branded, or shall mark or brand any cask, pack-
 14 age or barrel with any name other than the manufacturer thereof, or with
 15 any mark, word or sign indicating quality other than the true quality thereof,
 16 he shall be deemed guilty of a misdemeanor, and upon conviction thereof
 17 shall be subject to a penalty, and shall be fined in any sum not exceeding
 18 one thousand dollars, nor less than five hundred dollars, or be imprisoned
 19 in the county jail not exceeding six months, or both, at the discretion of
 20 the court.

§ 5. Any person who shall knowingly use any oils or turpentine before
 2 the same has been inspected, weighed and branded by the State inspector,
 3 or his deputy, as hereinbefore provided, shall be guilty of a misdemeanor,
 4 and on conviction thereof shall be fined in any sum not exceeding five hun-
 5 dred dollars, nor less than one hundred dollars for each offense.

§ 6. Any person selling or dealing in said oils or turpentine, who shall
 2 sell or dispose of any empty barrel, cask or package which has been branded
 3 by an inspector, or his deputies, before thoroughly canceling, removing and
 4 effacing the inspection brand on the same, shall be guilty of a misdemeanor,
 5 and on conviction, shall pay a fine of fifty dollars for each barrel, cask or
 6 package thus sold or disposed of.

§ 7. No person shall adulterate with any substance whatever, for the pur-
 2 pose of sale, any of said oils or turpentine; nor shall any person knowingly
 3 sell or offer for sale, or knowingly use any oil obtained from petroleum, or
 4 from coal, or from the products of either, for illuminating purposes within

5 this State, which, by reason of being adulterated, or for any reason what-
6 ever, will take fire at a temperature less than — degrees of Fahrenheit's
7 thermometer, under the test herein prescribed.

§ 8. Any person or persons who shall sell, or keep for sale, to be con-
2 sumed in this State any of said oils or turpentine not inspected or weighed
3 as provided in this act, shall be responsible to the party or parties injured
4 for any violation of the provisions of this act, by any clerk or person in
5 their employ, in the sale of said oils or turpentine.

§ 9. It shall be the duty of the inspector, or any deputy inspector, or
2 any person who shall know of the violation of any of the provisions of this
3 act, to enter complaint before any court of competent jurisdiction against
4 any person so offending; and in case of any inspector, or deputy inspector,
5 having knowledge of the violation of the provisions of this act, shall neg-
6 lect to enter complaint as required by and provided for in this act, he shall
7 be deemed guilty of a misdemeanor, and upon conviction thereof, shall be
8 fined in any sum not exceeding five hundred dollars, and be removed from
9 his position as such inspector or deputy inspector, and in case of any per-
10 son other than inspector or deputy inspector having knowledge of the vio-
11 lation of the provisions of this act, who shall neglect to enter complaint as
12 required by this act, shall be deemed guilty of a misdemeanor, and upon
13 conviction thereof, shall be fined in any sum not exceeding five hundred
14 dollars.

§ 10. No inspector or deputy inspector shall, while in office, traffic di-
2 rectly or indirectly, in any of said oils or turpentine, which he is appointed
3 to inspect; and in case of any violation of the provisions of this section by
4 any inspector, or deputy inspector, and upon conviction thereof, he shall be
5 fined in any sum not exceeding five hundred dollars, and removed from his
6 position as such inspector or deputy inspector.

§ 11. That any person who shall sell or cause to be sold, any of the oils
2 mentioned in this act for illuminating purposes, which is below 150 degrees,
3 Fahrenheit, when tested as is provided in this act, shall be liable to any per-
4 son purchasing said oil or to any person injured thereby, for all damages

5 resulting from any explosion of said oil, and it shall be no defense that the
6 inspectors' brand was upon the cask or package or barrel from which the oil
7 was taken.

§ 12. That no refined oil shall be inspected in bulk in tanks, but shall be
2 inspected and weighed when the same shall be placed in casks, barrels or
3 packages, except, however, that when the same is retailed from tank wagons,
4 the oil shall be inspected therein, and the inspector or deputy inspector shall
5 place his marks and brands on said tank wagon in the same manner as here-
6 inbefore provided for casks, barrels and packages. Each separate tank load
7 shall be submitted to inspection, and the fees for inspecting shall be at
8 the same rate as hereinbefore provided.

§ 13. That all prosecutions for fines and penalties under provisions of this
2 act shall be by indictment or other legal mode in any court of competent
3 jurisdiction, and, when collected shall be paid into the treasury of the county
4 where the offense is committed, one-half of which shall be paid to the in-
5 former, and the balance shall be paid into the poor fund of the county.

1. Introduced by Committee on State Charitable Institutions, March 22, 1883, and ordered to first reading.
2. First reading March 22, 1883, and referred to Committee on Appropriations.
3. Reported back March 23, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act making an appropriation to the Illinois Eastern Hospital for the Insane, at Kankakee, for the erection, completion and furnishing of additional buildings, to be used as dormitories and living rooms.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the sum of four hundred thousand dollars (\$400,000), or so much thereof as may be necessary, be, and the same is hereby appropriated to the Illinois Eastern Hospital for the Insane, at Kankakee, for the erection, completion, and furnishing of additional buildings, to be used as dormitories and living rooms.

§ 2. Said buildings shall be of a plain, substantial character, of brick or stone, or brick and stone, not more than two stories in height, corresponding in general plan and design to the detached wards heretofore erected at said Illinois Eastern Hospital for the Insane, and shall be sufficient to accommodate not less than one thousand inmates.

§ 3. Detailed plans, specifications, and estimates of expense, showing that said additional buildings, sufficient to accommodate not less than one thousand inmates, can be erected, completed and furnished at a total cost of not to exceed said sum of four hundred thousand dollars (\$400,000), shall be prepared and submitted to the Governor and the State Board of Charities, and approved by them, before any of said buildings shall be begun or contracted for.

§ 4. The Auditor of Public Accounts is hereby authorized to draw his warrants on the Treasury for the money hereby appropriated, upon the orders of the board of trustees of said Illinois Eastern Hospital for the Insane, signed by the president and attested by the secretary, with the seal of said institution thereto attached, subject to the limitations and conditions contained and expressed in sections 18, 19 and 20, of an act entitled "An act to regulate the State charitable institutions, and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875.

§ 5. WHEREAS, there are now over three thousand insane persons in this State, for whom no provision is made in the State Hospitals for the Insane;

WHEREAS, of this number more than twelve hundred are in the county alms houses, where they cannot be adequately cared for;

WHEREAS, the county boards of twenty-eight counties, in view of the premises, did memorialize the Thirty-second General Assembly, praying for relief;

AND, WHEREAS, the relief to be afforded by this act cannot be made promptly available, unless the buildings herein provided for can be begun immediately, so as to be built and roofed before the winter of 1883,

Therefore an emergency exists, and this act shall take effect and be in force from and after its passage.

1. Introduced by Committee on State Charitable Institutions, March 22, 1883, read first time, and referred to Committee on Appropriations.
2. Reported back, passage recommended, and ordered to second reading.
3. Second reading April 12, 1883, amended and ordered to third reading.

A BILL

For An Act making an appropriation to the Illinois Eastern Hospital for the Insane, at Kankakee, for the erection, completion and furnishing of additional buildings, to be used as dormitories and living rooms.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That the sum of four hundred thousand dollars (\$400,000), or so much thereof as may be necessary, be, and the same is hereby appropriated to the Illinois Eastern Hospital for the Insane, at Kankakee, for the erection, completion, and furnishing of additional buildings, to be used as dormitories and living rooms.

§ 2. Said buildings shall be of a plain, substantial character, of brick or stone, or brick and stone, not more than two stories in height, corresponding in general plan and design to the detached wards heretofore erected at said Illinois Eastern Hospital for the Insane, and shall be sufficient to accommodate not less than one thousand inmates, to be received from all portions of the State in the proportion as now, or may be hereafter provided by law from counties.

§ 3. Detailed plans, specifications, and estimates of expense, showing that said additional buildings, sufficient to accommodate not less than one thousand inmates, can be erected, completed and furnished at a total cost of not to exceed said sum of four hundred thousand dollars (\$400,000), shall be prepared and submitted to the Governor and the State Board of Charities, and approved by them, before any of said buildings shall be begun or contracted for, and no contract for any building shall be made for a greater cost than four hundred dollars per capita.

§ 4. The Auditor of Public Accounts is hereby authorized to draw his warrants on the treasury for the money hereby appropriated, upon the orders of the board of trustees of said

3 Illinois Eastern Hospital for the Insane, signed by the president and attested by the secretary,
 4 with the seal of said institution thereto attached, subject to the limitations and conditions con-
 5 tained and expressed in sections 18, 19 and 20, of an act entitled "An act to regulate the State
 6 charitable institutions, and the State Re-form School, and to improve their organization and in-
 7 crease their efficiency," approved April 15, 1875.

§ 5. Whereas, there are now over three thousand insane persons in this State, for whom no
 2 provision is made in the State hospitals for the insane;

3 Whereas, of this number more than twelve hundred are in the county alms houses, where
 4 they cannot be adequately cared for;

5 Whereas, the county boards of twenty-eight counties, in view of the premises, did memorialize
 6 the Thirty second General Assembly, praying for relief;

7 And, whereas, the relief to be afforded by this act cannot be made promptly available, unless
 8 the buildings herein provided for can be begun immediately, so as to be built and roofed before
 9 the winter of 1883;

10 Therefore an emergency exists, and this act shall take effect and be in force from and after
 11 its passage.

1. Reported to House April 21, 1883.
 2. First reading April 21, 1883, and referred to Committee on Appropriations.
 3. Reported back, with amendments, passage recommended, report concurred in, and ordered to second reading May 1, 1883.
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AMENDMENTS OF THE APPROPRIATION COMMITTEE TO SENATE BILL NO. 360.

Amend title of the bill by adding thereto the following words, "and for the sustenance of the patients who may occupy the same."

Insert the following as section 5:

"Section 5. For the additional expense of maintenance of one thousand patients, when the buildings herein provided for shall have been completed, or of maintenance *pro rata* of a smaller number, in case any part of the said buildings shall be completed and made ready for occupancy before the whole shall have been completed, the sum of one hundred and twenty-five thousand dollars per annum is appropriated, which is at the rate of one hundred and twenty-five dollars per annum for each patient maintained, and the said appropriation shall be due and payable as follows, to-wit: Whenever any portion of the said additional buildings have been erected, constructed, furnished and provided with all necessary conveniences for the reception of patients, the trustees of the hospital shall certify that fact to the Governor, and shall state the number of patients who can be accommodated in the additions then completed, and the Governor shall, after satisfying himself of the truth of said certificate, deliver the same to the Auditor of Public Accounts, who shall thereupon draw his warrant upon the Treasurer in favor of the trustees of the hospital for a *pro rata* allowance for each additional patient provided for at the rate of thirty-five cents a day from the filing of the certificate until the end of the current fiscal quarter year, and thirty-one dollars and twenty-five cents per quarter year thereafter, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

Amend by changing the number of "section 5," to read "section 6."

A BILL

For An Act making an appropriation to the Illinois Eastern Hospital for the Insane, at Kankakee, for the erection, completion and furnishing of additional buildings, to be used as dormitories and living rooms.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of four hundred thousand dollars (\$400,000), or so much thereof as may be necessary, be, and the same is hereby appropriated to the Illinois Eastern Hospital for the Insane, at Kankakee, for the erection, completion and furnishing of additional buildings, to be used as dormitories and living rooms.

§ 2. Said buildings shall be of a plain, substantial character, of brick or stone, or brick and stone, not more than two stories in height, corresponding in general plan and design to the detached wards heretofore erected at said Illinois Eastern Hospital for the Insane, and shall be sufficient to accommodate not less than one thousand inmates, to be received from all portions of the State in the proportion as now, or may be hereafter provided by law from counties.

§ 3. Detailed plans, specifications and estimates of expense, showing that said additional buildings, sufficient to accommodate not less than one thousand inmates, can be erected, completed and furnished at a total cost of not to exceed said sum of four hundred thousand dollars (\$400,000), shall be prepared and submitted to the Governor and the State Board of Charities, and approved by them, before any of said buildings shall be begun or contracted for, and no contract for any building shall be made for a greater cost than four hundred dollars *per capita*.

§ 4. The Auditor of Public Accounts is hereby authorized to draw his warrants on the treasury for the money hereby appropriated, upon the orders of the board of trustees of said Illinois Eastern Hospital for the Insane, signed by the president and attested by the secretary, with the seal of said institution thereto attached, subject to the limitations and conditions contained and expressed in sections 18, 19 and 20, of an act entitled "An act to regulate the State charitable institutions, and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875.

§ 5. Whereas, there are now over three thousand insane persons in this State, for whom no provision is made in the State hospitals for the insane;

3 Whereas, of this number more than twelve hundred are in the county alms houses, where
4 they cannot be adequately cared for;

5 Whereas, the county boards of twenty-eight counties, in view of the premises, did memorialize
6 the Thirty-second General Assembly, praying for relief;

7 And, whereas, the relief to be afforded by this act cannot be made promptly available, unless
8 the buildings herein provided for can be begun immediately, so as to be built and roofed before
9 the winter of 1883;

10 Therefore an emergency exists, and this act shall take effect and be in force from and after
11 its passage.



AMENDMENTS BY HOUSE TO SENATE BILL NO 360.

Amend title of the bill by adding thereto the following words, "and for the sustenance of the

2 patients who may occupy the same."

3 Insert the following as section 5:

4 "Section 5. For the additional expense of maintenance of one thousand patients, when the
5 buildings herein provided for shall have been completed, or of maintenance *pro rata* of a smaller
6 number, in case any part of the said buildings shall be completed and made ready for occupancy
7 before the whole shall have been completed, the sum of one hundred and twenty-five thousand
8 dollars per annum is appropriated, which is at the rate of one hundred and twenty-five dollars
9 per annum for each patient maintained, and the said appropriation shall be due and payable as
10 follows, to-wit: Whenever any portion of the said additional buildings have been erected, con-
11 structed, furnished and provided with all necessary conveniences for the reception of patients,
12 the trustees of the hospital shall certify that fact to the Governor, and shall state the num-
13 ber of patients who can be accommodated in the additions then completed, and the Gover-
14 nor shall, after satisfying himself of the truth of said certificate, deliver the same to the
15 Auditor of Public Accounts, who shall thereupon draw his warrant upon the Treasurer in
16 favor of the trustees of the hospital for a *pro rata* allowance for each addi-
17 tional patient provided for at the rate of thirty-five cents a day from the filing of the cer-
18 tificate until the end of the current fiscal quarter year, and thirty-one dollars and twenty-
19 five cents per quarter year thereafter, until the expiration of the first fiscal quarter after the
20 adjournment of the next General Assembly."

21 Amend by changing the number of "section 5," to read "section 6."



(Substitute for Senate bill No. 29.)

1. Introduced by Committee on Penal and Reformatory Institutions, March 22, 1883, and ordered to first reading.
2. First reading March 23, 1883, and ordered to a second reading.

A BILL

For An Act to establish a commission for the purpose of aiding and procuring employment for discharged prisoners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the commissioners and wardens of the penitentiaries of this State, he and they hereby are constituted a commission for the purpose of aiding and procuring employment for discharged prisoners.

§ 2. The principal office or agency of said commission shall, for the present, be in the city of Joliet, county of Will, in this State, and stated meetings of said commission shall be held at that place on the second Thursday in each and every month, unless appointed to be held at another place by vote of the commission at a regular meeting. Three members present shall constitute a quorum for the transaction of business. The commission shall elect a president, a secretary and a treasurer out of their number, and may make such by-laws and regulations for the transaction of their business as they may deem expedient.

§ 3. It shall be the duty of the commission to establish, without delay, a proper system for aiding and procuring employment for such discharged prisoners as apply therefor, by properly notifying the mechanical, manufacturing and productive interests throughout the State of their organization, its needs, its purposes and requirements, and do all in their power to obtain from such sources, co-operation and assistance in procuring and furnishing employment to such discharged prisoners as may make proper application therefor.

§ 4. The commission shall receive no compensation for their time or services, but they are hereby authorized to appoint one agent, who shall hold his office during their pleasure, and ren-

der them such services as they may require, at a salary not exceeding \$1,200 per annum, payable monthly, besides his necessary traveling expenses.

§ 5. For the purpose of aiding and procuring employment for discharged prisoners, and paying the salary and necessary traveling expenses of said agent, the sum of \$2,500 shall be appropriated out of the levy of each year, and all moneys appropriated to carry out the purpose of this act, shall be drawn on warrants authorized by the commission, signed by the president and secretary thereof, and approved by the Governor.

§ 6. For the purpose of further assisting to defray the expenses incurred in procuring employment for discharged prisoners, and rendering to them proper aid and assistance, as intended by this act, the sum of ten dollars paid to each and every prisoner discharged as provided for in section 91, Penitentiary Act, approved June 16, 1871, and amended by act approved and in force March 28, 1874, shall, after this act takes effect, be paid to said commission, which payments shall be made at the end of each and every calendar month, at the rate of ten dollars for each and every prisoner discharged during such month, such fund to be disbursed under the direction of said commission for the purpose aforesaid.

§ 7. In pursuance of their duties as aforesaid, the said commission is authorized to make such arrangements as they shall see fit with the "Prisoners' Aid Association of Chicago," a corporation organized under the laws of this State, for the purpose of procuring employment and extending aid to discharged prisoners and others, or with any other similar corporation duly organized for such purposes within the State. And said commission is authorized to pay to any such organization, out of the funds arising under section 6, of this act, at the rate of three dollars, or such other sum as may be deemed necessary, per week, for the board and lodging of such discharged prisoners as may have been sent by said commission to such organization; and the order of such commission to such organization for such board and lodging of discharged prisoners, as aforesaid, with an endorsement thereon, certified to by the proper officer that the same has been filled, and giving an itemized account of the amount claimed, shall be sufficient voucher for all payments made on account of the same.

§ 8. It shall be the duty of the commission to file with the Auditor of Public Accounts quarterly statements of all moneys received under this act, and all expenditures of the same, together with proper vouchers showing to whom payments have been made, in what sums and for what purpose.

§ 9. All acts or parts of acts in conflict with this act is hereby repealed.

1. Introduced by Committee on Penal and Reformatory Institutions, March 22 1883, and ordered to first reading.
2. First reading March 23, 1883, and ordered to a second reading.
3. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to establish a commission for the purpose of aiding and procuring employment for discharged prisoners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the commissioners and wardens of the penitentiaries
3 of this State, be and they hereby are, constituted a commission for the pur-
4 pose of aiding and procuring employment for discharged prisoners.

§ 2 The principal office or agency of said commission shall, for the present,
2 be in the city of Joliet, county of Will, in this State, and stated meetings
3 of said commission shall be held at that place on the second Thursday in
4 each and every month, unless appointed to be held at another place by vote
5 of the commission at a regular meeting. Three members present shall con-
6 stitute a quorum for the transaction of business. The commission shall elect
7 a president, a secretary and a treasurer out of their number, and may make
8 such by-laws and regulations for the transaction of their business as they
9 may deem expedient.

§ 3. It shall be the duty of the commission to establish, without delay, a
2 proper system for aiding and procuring employment for such discharged
3 prisoners as apply therefor, by properly notifying the mechanical, manu-
4 facturing and productive interests throughout the State of their organiza-
5 tion, its needs, its purposes and requirements, and to do all in their power to

6 obtain from such sources, co-operation and assistance in procuring and
7 furnishing employment to such discharged prisoners as may make proper ap-
8 plication therefor.

§ 4. The commission shall receive no compensation for their time or
2 services.

§ 5. For the purpose of assisting to defray the expenses incurred in pro-
2 curing employment for discharged prisoners, and rendering to them proper
3 aid and assistance, as intended by this act, the sum of ten dollars paid to
4 each and every prisoner discharged as provided for in section 21, Penitentiary
5 Act, approved June 16, 1871, and amended by act approved and in force
6 March 28, 1874, shall, after this act takes effect, be paid to said commission,
7 which payments shall be made at the end of each and every calendar month,
8 at the rate of ten dollars for each and every prisoner discharged during such
9 month, such fund to be disbursed under the direction of said commission
10 for the purpose aforesaid.

§ 6. In pursuance of their duties as aforesaid, the said commission is au-
2 thorized to make such arrangements as they shall see fit with the "Prisoners'
3 Aid Association of Chicago," a corporation organized under the laws of this
4 State, for the purpose of procuring employment and extending aid to dis-
5 charged prisoners and others, or with any other similar corporation duly
6 organized for such purposes within the State. And said commission is
7 authorized to pay to any such organization, out of the funds arising under
8 section 5 of this act, at the rate of three dollars, or such other sum as may
9 be deemed necessary, per week, for the board and lodging of such discharged
10 prisoners as may have been sent by said commission to such organization;
11 and the order of such commission to such organization for such board and
12 lodging of discharged prisoners, as aforesaid, with an endorsement thereon,
13 certified to by the proper officer of such organization that the same has been
14 filled, and giving an itemized account of the amount claimed, shall be suffi-
15 cient voucher for all payments made on account of the same.

§ 7. It shall be the duty of the commission to file with the Auditor of
2 Public Accounts quarterly statements of all moneys received under this act,

8 and all expenditures of the same, together with proper vouchers showing to
[4 whom payments have been made, in what sums and for what pur-
5 pose.

§ 8. All acts or parts of acts in conflict with this act are hereby repeal

1. Introduced by Mr. Vanderveer, March 22, 1883, and ordered to first reading.
2. Second reading March 23, 1883, and referred to Committee on Judicial Department.
3. Reported back March 29, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections ten (10), eleven (11) and twelve (12), of an act entitled "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections ten, eleven and twelve, of an act entitled
3 "An act to provide for the election and qualification of justices of the
4 peace and constables, and to provide for the jurisdiction and practice of
5 justices of the peace in civil cases, and to fix the duties of constables, and
6 to repeal certain acts therein named," approved April 1, 1872, in force July
7 1, 1872, be amended to read as follows:
8 "Section 10. The clerk shall keep a book in which he shall enter the
9 name of every justice of the peace and constable sworn into office, and the
10 time of his being sworn into office, together with the date of his commission
11 or certificate; and the clerk shall keep a separate book in which he shall
12 record the official bonds of all justices of the peace and constables.

13 "Section 11. Resignations of the office of justice of the peace and constable
14 shall be made to the county clerk, who shall immediately enter the date of
15 every such resignation in the book first above provided for.

16 § 12. Such books, on a certified copy of an entry in the same, by the
17 county clerk, shall be received as evidence in all courts within this State.

1. Reported to House May 18, 1883.
2. First reading May 26, 1883, and ordered to second reading

A BILL

For An Act to amend sections ten (10), eleven (11) and twelve (12) of an act entitled "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections ten, eleven and twelve of an act entitled
3 "An act to provide for election and qualification of justices of the peace and
4 constables, and to provide for the jurisdiction and practice of justices of the
5 peace in civil cases, and to fix the duties of constables, and to repeal certain
6 acts therein named," approved April 1, 1872, in force July 1, 1872, be amended,
7 to read as follows:

8 "Section 10. The clerk shall keep a book in which he shall enter the
9 name of every justice of the peace and constable sworn into office, and the
10 time of his being sworn into office, together with the date of his commission
11 or certificate; and the clerk shall keep a separate book in which he shall record
12 the official bonds of all justices of the peace and constables.

13 "Section 11. Resignations of the office of justice of the peace and constable
14 shall be made to the county clerk, who shall immediately enter the date of every
15 such resignation in the book first above provided for.

16 "Section 12. Such books, on a certified copy of an entry in the same, by the
17 county clerk, shall be received as evidence in all courts within this State."



1. Introduced by Mr. Tanner, March 22, 1883, and ordered to first reading.
2. First reading March 23, 1883, and referred to Committee on Railroads.
3. Reported back March 29, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act in regard to the dangers incident to railroad crossings on the same level.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General

Assembly: That when, and in case, two or more railroads crossing each other at a common grade shall, by a system of interlocking and automatic signals, or by other works, fixtures and machinery to be erected by them, or either of them, render it safe for engines and trains to pass over such crossing without stopping, and such system of interlocking and signals, works or fixtures, shall first be approved by the Railroad and Warehouse Commissioners, or any two of them, and a plan of such interlocking and signals, works or fixtures, for such crossing, designating the plan of crossing, shall have been filed with such Railroad and Warehouse Commissioners, then, and in that case, it is hereby made lawful for the engines and trains of any such railroad or railroads to pass over said crossing without stopping, any law, or the provisions of any law now in force, to the contrary notwithstanding; and all such other provisions of laws, contrary hereto, are hereby declared not to be applicable in such case: *Provided, however,* that if said Railroad and Warehouse Commissioners, or any two of them, shall disapprove such system or plans, or fail to approve the same within twenty days after the filing of such plans, the railroad company or companies applying for such approval may appeal such application to the circuit court of the county wherein such proposed road is located, or the judge thereof, in vacation; and in that case the Railroad and Warehouse Commissioners shall certify and transmit said application and proceedings before the Railroad and Warehouse Commissioners to such court or judge, whenever required, together with all the documents, evidence and papers therein, and on the filing thereof, such court, or such judge in vacation, shall take jurisdiction thereof, and proceed to determine the same in due course.

§ 2. The said Railroad and Warehouse Commissioners, and in case of an appeal, the court or judge, if either deem it advisable, may appoint a competent civil engineer to examine such proposed system and plan, and report the result of such examination for the information of such Railroad and Warehouse Commissioners, court or judge; and said Railroad and Warehouse Commissioners, court or judge, as the case may be, are hereby authorized to allow and award, as a compensation for the services of such civil engineer, such reasonable sum as such Commissioners, court or judge, shall deem fit, and to allow and award such other and further sums, as they or either of them shall deem fit, to pay all other fees, costs, and expenses to arise under said application, to be paid by the railroad company or companies in interest, to be taxed and paid or collected as in other cases. And the said Railroad and Warehouse Commissioners are also empowered, on application for their approval of any such system of interlocking and signals, works or fixtures, to require of the applicant security for such fees, costs and expenses, or the deposit in lieu thereof, of a sufficient amount in money for that purpose, to be fixed by them.

§ 3. This act shall take effect from and after its passage.

1. Introduced by Mr. Tanner, March 22, 1883, and ordered to a first reading.
2. First reading March 23, 1883, and referred to Committee on Railroads.
3. Reported back March 29, 1883, passage recommended and ordered to a second reading.
4. Second reading April 13, 1883, and ordered to a third reading.
5. Third reading April 25, 1883, failed to pass, and motion to reconsider.
6. Vote, whereby the bill failed to pass, reconsidered May 3, 1883, and bill recommitted to Committee on Railroads.
7. Reported back May 4, 1883, with amendments, passage recommended and ordered to a second reading.

AMENDMENTS TO SENATE BILL NO. 366, PROPOSED BY COMMITTEE
ON RAILROADS.

Amend section one, by striking out all after the word "case," in line
2 twelve of printed bill.

3 Amend section two, by striking out of lines one and two, the words "and in
4 case of an appeal the court or judge, if either deem it advisable."

5 Amend section two, by striking out the words "court or judge," in line
6 four, the words "court or judge, as the case may be," in line five, and the
7 words "court or judge," in line seven of printed bill.

8 Amend by striking out section three.

A BILL

For An Act in regard to the dangers incident to railroad crossings on the
same level.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That when, and in case, two or more railroads crossing
3 each other at a common grade, shall, by a system of interlocking and auto-

4 matic signals, or by other works, fixtures and machinery to be erected by
 5 them, or either of them, render it safe for engines and trains to pass over such
 6 crossing without stopping, and such system of interlocking and signals, works
 7 or fixtures, shall first be approved by the Railroad and Warehouse Commis-
 8 sioners, or any two of them, and a plan of such interlocking and signals, works
 9 or fixtures, for such crossing designating the plan of crossing, shall have
 10 been filed with such Railroad and Warehouse Commissioners, then, and in
 11 that case, it is hereby made lawful for the engines and trains of any such
 12 railroad or railroads to pass over said crossing without stopping, any law, or
 13 the provisions of any law now in force, to the contrary notwithstanding; and
 14 all such other provisions of laws, contrary hereto, are hereby declared not to
 15 be applicable in such case: *Provided, however,* that if said Railroad and
 16 Warehouse Commissioners, or any two of them, shall disapprove such system
 17 or plans, or fail to approve the same within twenty days after the filing of
 18 such plans, the railroad company or companies applying for such approval
 19 may appeal such application to the circuit court of the county wherein such
 20 proposed crossing is located, or the judge thereof, in vacation, and in that
 21 case the Railroad and Warehouse Commissioners shall certify and transmit
 22 said application and proceedings before the Railroad and Warehouse Com-
 23 missioners to such court or judge, whenever required, together with all the
 24 documents, evidence and papers therein, and on the filing thereof, such
 25 court, or such judge in vacation, shall take jurisdiction thereof, and proceed
 26 to determine the same in due course.

§ 2. The said Railroad and Warehouse Commissioners, and in case of an
 2 appeal, the court or judge, if either deem it advisable, may appoint a compe-
 3 tent civil engineer to examine such proposed system and plan, and report
 4 the result of such examination for the information of such Railroad and
 5 Warehouse Commissioners, court or judge; and said Railroad and Warehouse
 6 Commissioners, court or judge, as the case may be, are hereby authorized to
 7 allow and award, as a compensation for the services of such civil engineer,
 8 such reasonable sum as such Commissioners, court or judge shall deem fit,
 9 and to allow and award such other and further sums, as they or either of

10 them shall deem fit to pay all other fees, costs and expenses to arise under
11 said application, to be paid by the railroad company or companies in interest,
12 to be taxed and paid or collected as in other cases. And the said Railroad
13 and Warehouse Commissioners are also empowered, on application for their
14 approval of any such system of interlocking and signals, works or fixtures,
15 to require of the applicant security for such fees, costs and expenses, or the
16 deposit, in lieu thereof, of a sufficient amount in money for that purpose, to
17 be fixed by them.

§ 3. This act shall take effect from and after its passage.



1. Introduced by Mr. Tanner, March 22, 1883, and ordered to a first reading.
2. First reading March 23, 1883, and referred to Committee on Railroads.
3. Reported back March 29, 1883, passage recommended and ordered to a second reading.
4. Second reading April 13, 1883, and ordered to a third reading.
5. Third reading April 25, 1883, failed to pass, and motion to reconsider.
6. Vote, whereby the bill failed to pass, reconsidered May 8, 1883, and bill recommitted to Committee on Railroads.
7. Reported back May 4, 1883, with amendments, passage recommended and ordered to a second reading.
8. Second reading May 15, 1883, amended and ordered to a third reading.

A BILL

For An Act in regard to the dangers incident to railroad crossings on the same level.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That when, and in case, two or more railroads crossing
3 each other at a common grade, shall, by a system of interlocking and auto-
4 matic signals, or by other works, fixtures and machinery to be erected by
5 them, or either of them, render it safe for engines and trains to pass over such
6 crossing without stopping, and such system of interlocking and signals, works
7 or fixtures, shall first be approved by the Railroad and Warehouse Commis-
8 sioners, or any two of them, and a plan of such interlocking and signals, works
9 or fixtures, for such crossing designating the plan of crossing, shall have
10 been filed with such Railroad and Warehouse Commissioners, then, and in
11 that case, it is hereby lawful for the engines and trains of any such
12 railroad or railroads to pass over said crossing without stopping, any law, or
13 the provisions of any law now in force, to the contrary notwithstanding; and
14 all such other provisions of laws, contrary hereto, are hereby declared not to
15 be applicable in such case: *Provided*, that the said Railroad and Warehouse

16 Commissioners shall have power in case such interlocking system in their
17 judgment, shall by experience prove to be unsafe or impracticable to order
18 the same to be discontinued.

§ 2. The said Railroad and Warehouse Commissioners may appoint a competent
2 civil engineer to examine such proposed system and plan, and report the result
3 of such examination for the information of such Railroad and Warehouse
4 Commissioners; and said Railroad and Warehouse Commissioners are hereby
5 authorized to allow and award, as a compensation for the services of such
6 civil engineer, such reasonable sum as such Commissioners shall deem fit,
7 and to allow and award such other and further sums as they shall deem fit,
8 to pay all other fees, costs and expenses to arise under said application, to
9 be paid by the railroad company or companies in interest, to be taxed and
10 paid or collected as in other cases. And the said Railroad and Warehouse
11 Commissioners are also empowered, on application for their approval of any
12 such system of interlocking and signals, works or fixtures, to require of the
13 applicant security for such fees, costs and expenses, or the deposit, in lieu
14 thereof, of a sufficient amount in money for that purpose, to be fixed by
15 them.

1. Reported to House May 23, 1883.
2. First reading May 26, 1883, and ordered to second reading.

A BILL

For An Act in regard to the dangers incident to railroad crossings on the same level.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when, and in case, two or more railroads crossing each other at a common grade, shall, by a system of interlocking and automatic signals, or by other works, fixtures and machinery to be erected by them, or either of them, render it safe for engines and trains to pass over such crossing without stopping, and such system of interlocking and signals, works or fixtures, shall first be approved by the Railroad and Warehouse Commissioners, or any two of them, and a plan of such interlocking and signals, works or fixtures, for such crossing designating the plan of crossing, shall have been filed with such Railroad and Warehouse Commissioners, then, and in that case, it is hereby made lawful for the engines and trains of any such railroad or railroads to pass over said crossing without stopping, any law, or the provisions of any law now in force, to the contrary notwithstanding; and all such other provisions of laws, contrary hereto, are hereby declared not to be applicable in such case: *Provided*, that the said Railroad and Warehouse Commissioners shall have power, in case such interlocking system, in their judgment shall, by experience, prove to be unsafe or impracticable, to order the same to be discontinued.

§ 2. The said Railroad and Warehouse Commissioners may appoint a competent civil engineer to examine such proposed system and plan, and report the result of such examination for the information of such Railroad and Warehouse Commissioners, and said Railroad and Warehouse Commissioners

5 are hereby authorized to allow and award, as compensation for the services
6 of such civil engineer, such reasonable sum as such Commissioners shall
7 deem fit, and to allow and award such other and further sums as they shall
8 deem fit, to pay all other fees, costs and expenses to arise under said appli-
9 cation, to be paid by the railroad company or companies in interest, to be
10 taxed and paid or collected as in other cases. And the said Railroad and
11 Warehouse Commissioners are also empowered, on application for their ap-
12 proval of any such system of interlocking and signals, works or fixtures, to re-
13 quire of the applicant security for such fees, costs and expenses, or the deposit
14 in lieu thereof, of a sufficient amount in money for that purpose, to be fixed
15 by them.

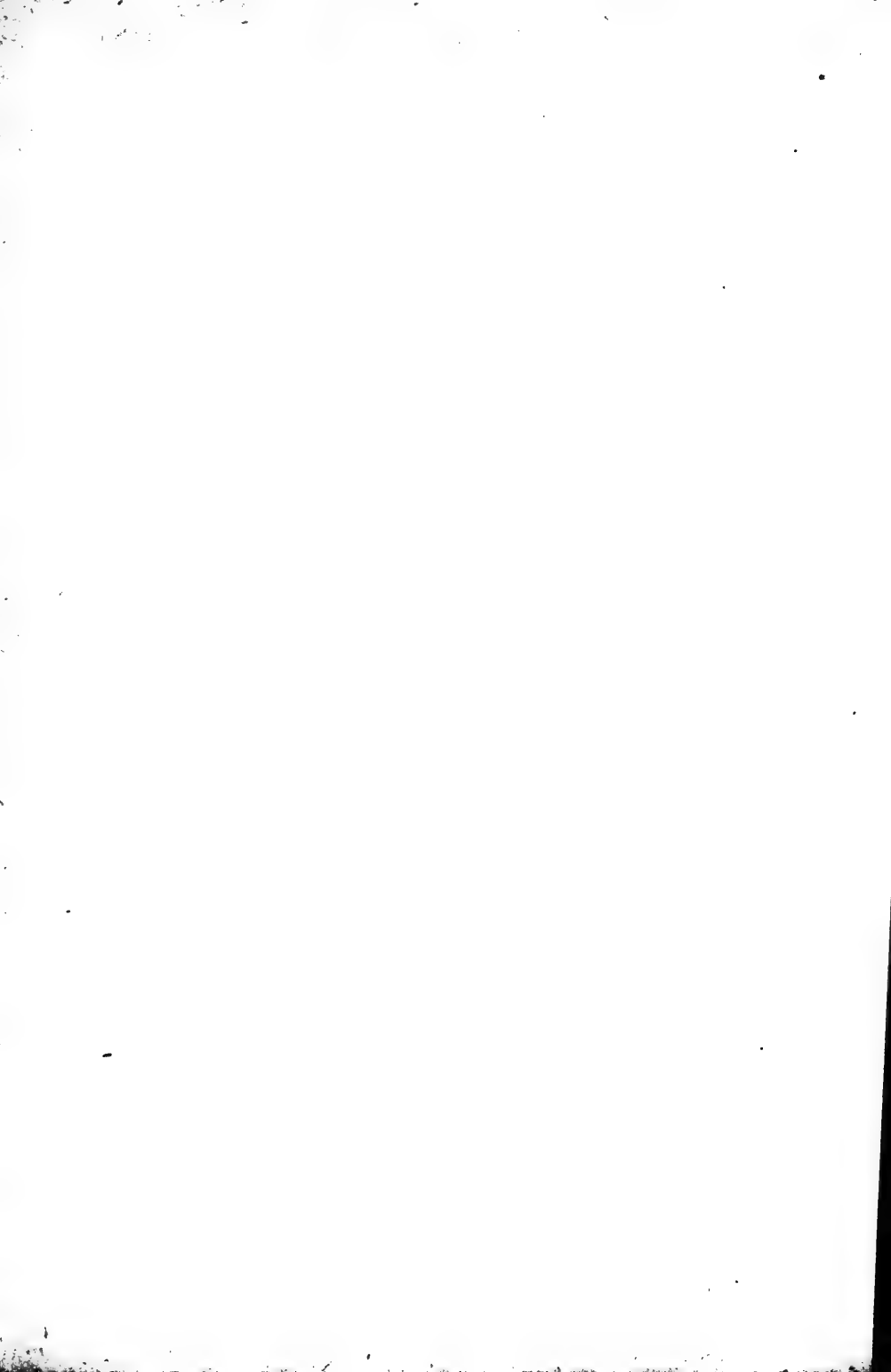
1. Introduced by Mr. Mason, March 22, 1883, and ordered to first reading.
2. First reading March 23, 1883, and referred to Committee on Judiciary.
3. Reported back May 11, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act concerning fees and salaries and to classify the several counties of this State with reference thereto, approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874, by incorporating a new section therein, to be numbered section 64½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That between sections 64 and 65 of said act, the following
3 section be inserted and numbered section 64½, and read as follows:
4 "Section 64½ That an attorney appointed by a court to defend a person
5 indicted for any offense, on account of such person being unable to procure
6 counsel, shall be entitled to receive from the county treasury, on the certificate
7 of the presiding judge that such services have been duly rendered, one of
8 the following fees: For defending in a case of murder, twenty-five dollars;
9 in case of other felonies, ten dollars; in case of misdemeanors, five dollars.
10 Only one attorney in any one case shall receive the compensation above con-
11 templated, nor shall he be entitled to this compensation until he files his
12 affidavit in the office of the county clerk in the county in which such trial
13 or proceedings may be had, that he has not, directly or indirectly, received
14 any compensation for such services from any other source."



1. Introduced by Committee on Penal and Reformatory Institutions, March 23, 1883, and ordered to first reading.
2. First reading March 23, 1883, and referred to Committee on Appropriations.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act making appropriations for repairs and improvements in the Illinois State Penitentiary, at Joliet; for constructing an artesian well, providing new ovens, enlarging gas works, introducing gas into west cell house, and reconstructing the sewers connected with said penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

General Assembly: That the following sums be, and the same are hereby appropriated for the Illinois State Penitentiary, at Joliet, for the purposes hereinafter named, and for no other:

For painting, relaying floors, repairing and repointing walls, repairing roofs, sidewalks, steam and water pipes, boilers and machinery, and making such other repairs as may be required to keep the machinery and fixtures, buildings, walls, grounds and appurtenances of said penitentiary in as good condition as they now are, the sum of three thousand five hundred dollars per annum, or so much thereof as may be necessary, from the first day of July, 1883, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For introducing gas into the west cell house, the sum of one thousand eight hundred dollars.

For enlarging the gas works and providing new gas holder, the sum of two thousand dollars.

17 For providing two improved rotary ovens for the convict kitchen, the sum
18 two thousand three hundred dollars.

19 For securing an increase in the supply of water for said penitentiary, either
20 by sinking an artesian well, or making connection with the Joliet city
21 water works, as may, upon investigation by the commissioners, be deemed
22 best for the State, the sum of six thousand five hundred dollars, or so much
23 thereof as may be necessary.

24 For reconstructing the sewers connected with said penitentiary, and re-
25 placing the present stone drains with sewer pipe, the sum of six thousand
26 dollars, or so much thereof as may be necessary.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his
2 warrant upon the State Treasurer for the moneys herein appropriated, upon
3 the order of the Board of Commissioners of said penitentiary, signed by the
4 President and attested by the Secretary, with the seal of said institution
5 thereto affixed.

1. Introduced by Committee on Penal and Reformatory Institutions, March 28, 1883, and ordered to first reading.
2. First reading March 28, 1883, and referred to Committee on Appropriations.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.
4. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act making appropriations for repairs and improvements in the Illinois State Penitentiary, at Joliet; for constructing an artesian well, providing new ovens, enlarging gas works, introducing gas into west cell house, and reconstructing the sewers connected with said penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That the following sums be, and the same are hereby appropriated for the Illinois

3 State Penitentiary, at Joliet, for the purposes hereinafter named, and for no other:

4 For painting, relaying floors, repairing and repointing walls, repairing roofs, sidewalks, steam
5 and water pipes, boilers and machinery, and making such other repairs as may be required to
6 keep the machinery and fixtures, buildings, walls, grounds, and appurtenances of said peniten-
7 tiary in as good condition as they now are, the sum of three thousand five hundred dollars per
8 annum, or so much thereof as may be necessary, from the first day of July, 1883, to the expira-
9 tion of the first fiscal quarter after the adjournment of the next General Assembly.

10 For introducing gas into the west cell house, the sum of one thousand five hundred dollars.

11 For enlarging the gas works and providing new gas holder, the sum of two thousand dollars.

12 For providing two improved rotary ovens for the convict kitchen, the sum of two thousand
13 three hundred dollars.

14 For securing an increase in the supply of water for said penitentiary, either by sinking an
15 artesian well, or making connection with the Joliet city water-works, as may, upon investigation,
16 by the commissioners, be deemed best for the State, the sum of six thousand five hundred dol-
17 lars, or so much thereof as may be necessary.

18 For reconstructing the sewers connected with said penitentiary, and replacing the present
19 stone drains with sewer pipe, the sum of six thousand dollars, or so much thereof as may be
20 necessary.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the
2 State Treasurer for the money herein appropriated, upon the order of the Board of Commis-
3 sioners of said penitentiary, signed by the President and attested by the Secretary, with the
4 seal of said institution thereto affixed.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriation May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act making appropriations for repairs and improvements in the Illinois State Penitentiary, at Joliet; for constructing an artesian well, providing new ovens, enlarging gas works, introducing gas into west cell house, and reconstructing the sewers connected with said penitentiary.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and the same are hereby appropriated for the Illinois State Penitentiary, at Joliet, for the purposes hereinafter named, and for no other:

For painting, relaying floors, repairing and repointing walls, repairing roofs, sidewalks, steam and water pipes, boilers and machinery, and making such other repairs as may be required to keep the machinery and fixtures, buildings, walls, grounds, and appurtenances of said penitentiary in as good condition as they now are, the sum of three thousand five hundred dollars per annum, or so much thereof as may be necessary, from the first day of July, 1883, to the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

For introducing gas into the west cell house, the sum of one thousand five hundred dollars.

For enlarging the gas works and providing new gas holder, the sum of two thousand dollars.

For providing two improved rotary ovens for the convict kitchen, the sum of two thousand three hundred dollars.

For securing an increase in the supply of water for said penitentiary, either by sinking an artesian well, or making connection with the Joliet city water-works, as may, upon investigation, by the commissioners, be deemed best for the State, the sum of six thousand five hundred dollars, or so much thereof as may be necessary.

For reconstructing the sewers connected with said penitentiary, and replacing the present bone drains with sewer pipe, the sum of six thousand dollars, or so much thereof as may be necessary.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the
2 State Treasurer for the moneys herein appropriated, upon the order of the Board of Commi-
3 sioners of said penitentiary, signed by the President and attested by the Secretary, with the
4 seal of said institution thereto affixed.

1. Introduced by Committee on Mines and Mining, March 23, 1883, and ordered to first reading.
2. First reading March 23, 1883, and ordered to a second reading.

A BILL

For An Act to amend sections one, three, six, nine, eleven and twelve, of an act entitled "An act providing for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That sections one, three, six, nine, eleven and twelve, of
3 an act entitled "An act providing for the health and safety of persons
4 employed in coal mines," approved May 28, 1879, in force July 1, 1879, be
5 amended so as to read as follows:
6 "Section 1. That the owner, or agent, or operator of each and every coal
7 mine in this State, employing ten men or more, shall make, or cause to be
8 made, at the discretion of the inspector, or person acting in that capacity,
9 an accurate map or plan of the workings of such coal mine, and of each
10 and every vein thereof, showing the general inclination of the strata,
11 together with any material deflections in the said workings, and the
12 boundary lines of said coal mine, and deposit a true copy of said map or
13 plan with the inspector of coal mines, to be filed in his office, and another
14 true copy of said map or plan with the recorder of the county in which
15 said coal mine is situated, to be filed in his office, both of which said copies
16 shall be deposited as aforesaid within three months from the day when
17 this act shall go into effect; and the original, or a copy of such map or
18 plan, shall also be kept for inspection at the office of such coal mine; and
19 during the month of January, of each and every year after this act shall

20 go into effect, the said owner, agent or operator shall furnish the inspector
21 and recorder, as aforesaid, with a statement and further map or plan of
22 the progress of the workings of such coal mine, continued from the last
23 report to the end of the December month just preceding; and the inspector
24 shall correct his map or plan of said workings in accordance with the state-
25 ment and map or plan thus furnished; and when any coal mine is worked
26 out or abandoned, that fact shall be reported to the inspector, and the
27 map or plan of such coal mine in the office of said inspector shall be care-
28 fully corrected and verified. The several coal mine inspectors in this State
29 shall furnish copies of all maps or plans of mines, to be filed with the
30 "Bureau of Labor Statistics."

31 "Section 8. In all coal mines that are or have been in operation prior
32 to the first day of July, in the year of our Lord 1879, and which are
33 worked by or through a shaft, slope or drift, and in which more than five
34 miners are employed in each twenty-four hours, if there is not already an
35 escapement shaft to each and every said coal mine, or communication be-
36 tween each and every coal mine, and some other contiguous mine, then
37 there shall be an escapement shaft for other communication, such as shall
38 be approved by the mine inspector, making at least two distinct means of
39 ingress and egress for all persons employed or permitted to work in such
40 coal mine. Such escapement shaft or other communication with a contigu-
41 ous mine as aforesaid, shall be constructed in connection with every vein
42 or stratum of coal worked in such coal mine, which shall be at least three
43 and one-half feet high and at least five feet wide, and in no instance shall
44 the height of said roadway be less than the thickness of the vein or
45 stratum of coal through which it is driven; and the time to be allowed
46 for such construction shall be one year when such mine is under one
47 hundred (100) feet in depth; two years when such mine is over one
48 hundred (100) feet in depth and under three hundred (300) feet, and
49 and three years when it is over three hundred (300) feet and under
50 four hundred (400) feet, and four years when it is over four hundred
51 (400) feet in depth, and five years for all mines over five hundred (500)

52 feet, from the first day of July, A. D. 1879; and in all cases where the
53 working force of one mine has been driven up to or into the workings
54 of another mine, the respective owners of such mine, while operating
55 the same, shall keep open a roadway at least five feet high and five
56 feet wide, thereby forming a communication as contemplated in this
57 act; and for a failure to do so shall be subject to the penalty provided
58 for in section 10, of this act, for each and every day such roadway is
59 unnecessarily closed; each and every such escapement shaft shall be
60 separated from the main shaft by such extent of natural strata as shall
61 secure safety to the men employed in such mines, such distance to be
62 left to the discretion of the mine inspector or person acting in that capac-
63 ty; and in all coal mines that shall go into operation for the first time
64 after the first day of January, A. D. 1880, such an escapement or other
65 communication with a contiguous mine as aforesaid, shall be constructed
66 within one year after such mine shall have been put into operation. And
67 it shall not be lawful for the owner, agent or operator of any such coal
68 mine as aforesaid to employ any person to work therein, or permit any per-
69 son to go therein for the purpose of working, except such persons as may
70 be necessary to construct such an escapement shaft, unless the requirements
71 of this section shall have first been complied with; and the term owner,
72 used in this act, shall mean the immediate proprietor, lessee or occupant of
73 any coal mine, or any part thereof, and the term agent shall mean any
74 person having on behalf of the owner the care or management of any
75 coal mine or any part thereof: *Provided*, that in all cases where any such
76 mine or mines have been put in operation for the first time on or since the
77 first day of January, A. D. 1888, and in all cases where such mine or mines
78 shall hereafter be put in operation in this State, the owner thereof or the
79 lessee or occupant of the same shall construct such an escapement shaft as
80 is now required by law in this State at the rate of three hundred feet per
81 annum until such escapement shaft shall have been fully completed: *And*,
82 *Provided, further*, that nothing in this section shall be construed to extend
83 the time heretofore allowed by law for constructing escapement shafts in

84 mines going into operation for the first time before said first day of Jan-
85 uary, A. D. 1883.

86 "Section 6. The owner, agent or operator of every coal mine operated by
87 shaft shall provide suitable means of signaling between the bottom and
88 top thereof, and shall also provide safe means of hoisting and lowering
89 persons in a cage covered with boiler iron so as to keep safe, as far as
90 possible, persons descending into and ascending out of such shaft; and
91 such cage shall be furnished with guides to conduct it on slides through
92 such shaft, with a sufficient brake on every drum to prevent accident in
93 case of the giving out or breaking of the machinery; and such cage shall
94 be furnished with spring catches intended and provided, as far as possible,
95 to prevent the consequences of cable-breaking or the loosening or discon-
96 necting of the machinery; and no props or rails shall be lowered in a
97 cage while men are descending into or ascending out of said mine: *Provided,*
98 that the provisions of this section in relating to covering cages with boiler
99 iron, shall not apply to coal mines less than one hundred feet in depth,
100 where the coal is raised by horse-power. No person under the age of twelve
101 years, or females of any age, shall be permitted to enter any mine to work
102 therein, nor shall any boy under the age of fourteen, unless he can read
103 and write, be allowed to work in any mine. Any party or person neglect-
104 ing or refusing to perform the duties required to be performed by sections
105 three, four, five, six, seven and eight, shall be deemed guilty of a misde-
106 meanor, and punished by fine in the discretion of the court trying the same,
107 subject, however, to the limitations as provided by section ten of this act.

108 "Section 9. Whenever loss of life, or serious personal injury, shall occur
109 by reason of any explosion, or of any accident whatsoever, in or about any
110 coal mine, it shall be the duty of the person having charge of such coal
111 mine to report the facts thereof, without delay, to the mine inspector of
112 the district in which said coal mine is situated; and if any person is killed
113 thereby, to notify the coroner of the county also, or, in his absence or ina-
114 bility to act, any justice of the peace of said county; and the said inspector
115 shall, if he deem it necessary from the facts reported, immediately go to

116 the scene of said accident, and make such suggestions, and render such
 117 assistance as he may deem necessary for the safety of the men. And the
 118 inspector shall investigate and ascertain the cause of such explosion or ac-
 119 cident, and make a report thereof, which he shall preserve with the other
 120 records of his office; and to enable him to make such investigations he shall
 121 have power to compel the attendance of witnesses, and administer oaths or
 122 affirmations to them, and the cost of such investigations shall be paid by
 123 the county in which such accident has occurred, in the same manner as
 124 costs of coroners' inquests are now paid. And the failure of the person in
 125 charge of the coal mine in which any such accident may have occurred, to
 126 give notice to the inspector or coroner, as provided for in this section, shall
 127 subject such person to a fine of not less than twenty-five dollars nor more
 128 than one hundred dollars, to be recovered in the name of the People of the
 129 State of Illinois, before any justice of the peace of such county, and such
 130 fine, when collected, shall be paid into the county treasury for the use of
 131 the county in which any such accident may have occurred.

132 "Section 11. This State shall be divided into five inspection districts, as
 133 follows, viz: The first district shall be composed of the counties of Boone,
 134 McHenry, Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy,
 135 Will, Livingston, Kankakee and Iroquois. Second district, the counties of
 136 JoDaviess, Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock
 137 Island, Henry, Bureau, Mercer, Stark, Putnam, Marshall, Henderson, War-
 138 ren, Knox, Hancock, McDonough, Schuyler, Adams and Brown. The third
 139 district, the counties of Fulton, Peoria, Woodford, Tazewell, McLean, Ford,
 140 Mason, Cass, Menard, Logan, DeWitt, Piatt, Champaign and Vermillion.
 141 The fourth district, the counties of Pike, Scott, Morgan, Sangamon, Cal-
 142 houn, Greene, Jersey, Madison, Bond, Macoupin, Montgomery, Christian,
 143 Fayette, Macon, Moultrie, Shelby, Effingham, Douglas, Coles, Cumberland,
 144 Jasper, Edgar, Clark, Crawford, Clay, Richland and Lawrence. The fifth
 145 district, the counties of St. Clair, Clinton, Washington, Marion, Jefferson,
 146 Wayne, Edwards, Wabash, Hamilton, White, Monroe, Randolph, Perry,
 147 Jackson, Franklin, Williamson, Saline, Gallatin, Union, Johnson, Pope, Har-

148 din, Alexander, Pulaski and Massac. The Governor shall, upon the recom-
149 mendation of a board of examiners, selected for that purpose, composed of
150 two practical coal miners, one of whom shall be an acting underground
151 superintendent, two coal operators, and one mining engineer, to be appointed
152 by the 'Bureau of Labor Statistics' of this State, all of whom shall be
153 sworn to a faithful discharge of their duties, appoint five properly qualified
154 persons to fill the offices of inspectors of coal mines of this State, (being
155 one inspector for each district provided for in this act) whose commissions
156 shall be for the term of one year, but they shall at all times be subject to
157 removal from office for neglect of duty, or malfeasance in the discharge of
158 duty as hereinafter provided for; and the inspectors so appointed shall have
159 attained the age of thirty years, be citizens of this State, and have a knowl-
160 edge of mining engineering sufficient to conduct the development of coal
161 mines, and a practical knowledge of the methods of conducting mining for
162 coal in the presence of explosive gases, and of the proper ventilation of
163 coal mines. They shall have had a practical mining experience of ten years
164 and shall not be interested as owner, operator, stockholder, superintendent
165 or mining engineer of any coal mine during their term of office, and shall
166 be of good moral character and temperate habits, and shall not be guilty
167 of any act tending to the injury of miners or operators of mines during
168 their term of office. They shall be provided by the State with the most
169 approved modern instruments for carrying out the intention of this act.
170 The inspectors, before assuming the duties of their several offices, shall take
171 an oath of office, as provided for by the constitution, and shall be required
172 to enter into a bond to the State in the sum of five thousand dollars, with
173 sureties to be approved by the Governor, conditioned upon the faithful
174 performance of their duties in every particular, as required by this act;
175 said bond, with the approval of the Governor endorsed thereon, together
176 with the oath of office, shall be deposited with the Secretary of State.
177 The salaries of the inspectors provided for by this act shall be eighteen
178 hundred dollars per annum, each, and the Auditor of Public Accounts is
179 hereby authorized to draw his warrant on the treasury in their favor, quar

terly, for the amount specified in this section for the salary of each inspector: *Provided*, that the county board of any county may appoint an assistant inspector for such county, who shall act under the direction of the district inspector in the performance of his duties, and shall receive not less than three dollars, nor more than five dollars per day, for the time actually employed, to be paid out of the county treasury; and he may be removed by such county board at any time.

"Section 12. The inspectors provided for by this act shall devote their whole time and attention to the duties of their office, and make personal examination of every mine within their respective districts, and shall see that every necessary precaution is taken to insure the health and safety of the workmen employed in such mines, and that the provisions and requirements of the mining laws of this State are faithfully observed and obeyed and the penalties of the same enforced. They shall also make annual reports to the "Bureau of Labor Statistics" of their acts during the year in the discharge of their duties, with their recommendation as to legislation necessary on the subject of mining, and shall collect and tabulate upon blanks furnished by said bureau all desired statistics of the mines and miners within their districts, to accompany said annual report; they shall also furnish such information as they may have obtained on this subject, when called for, to the State Geologist. Upon a petition signed by not less than three reputable coal operators, and ten coal miners, setting forth that any inspector of coal mines neglects his duties, or that he is incompetent, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, it may be lawful for the Bureau of Labor Statistics of this State to issue a citation to the said inspector to appear at no less than fifteen days' notice on a day fixed, before them, when the said Bureau shall proceed to inquire into and investigate the allegations of the petitioners; and if the said Bureau find that the said inspector is neglectful of his duty, or that he is by reason of causes that existed before his appointment, or that have arisen since his appointment, incompetent to perform the duties of said office, or that he is

212 guilty of malfeasance in office, or guilty of any act tending to the injury
213 of miners or operators of mines, the said Bureau shall declare the office of
214 inspector of the said district vacant, and a properly qualified person shall
215 be appointed to fill the office in compliance with the provisions of this act;
216 and the cost of said investigation by the said Bureau shall be borne by
217 the removed inspector; but if the allegations of the petitioners are not sus-
218 tained by the final decision of the said Bureau, the costs shall be paid by
219 the petitioners. The board of examiners provided for in section eleven, of
220 this act, shall be appointed at the annual meeting of the Bureau of Labor
221 Statistics, and shall hold their offices for one year. They shall meet
222 annually at the State capital on the first Monday in September, in each
223 year, and special meetings may be called at any time by the Bureau of
224 Labor Statistics when the office of coal mine inspector becomes from any
225 cause vacant. They shall receive as compensation the sum of three dollars
226 per day, each, for time actually employed in the duties of their office, and
227 actual traveling expenses, to be verified by affidavit: *Provided*, that in no
228 case shall the per diem received by any member of said board exceed the
229 sum of thirty dollars per annum. The Auditor of Public Accounts is
230 hereby authorized to draw his warrant in favor of each member of the
231 board of examiners at the close of their annual session, for the full amount
232 due them for attending annual and special sessions and expenses, upon
233 vouchers sworn to by them and approved by the Secretary of the Bureau
234 of Labor Statistics, and the Governor.

1. Introduced by Committee on Mines and Mining, March 23, 1883, and read first time, and ordered to second reading.
2. Second reading April 5, 1883, amended and ordered to a third reading.

A BILL

For An Act to amend sections one, three, six, nine, eleven and twelve, of an act entitled "An providing for the health and safety of persons employed in coal mines," approved May 23, 1879, in force July 1, 1879, and making the necessary appropriations for carrying out the provisions of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That sections one, three, six, nine, eleven and twelve, of
3 an act entitled "An act providing for the health and safety of persons
4 employed in coal mines," approved May 23, 1879, in force July 1, 1879, be
5 amended so as to read as follows:
6 "Section 1. That the owner, or agent, or operator of each and every coal
7 mine in this State, employing ten men or more, shall make, or cause to be
8 made, at the discretion of the inspector, or person acting in that capacity,
9 an accurate map or plan of the workings of such coal mine, and of each
10 and every vein thereof, showing the general inclination of the strata,
11 together with any material deflections in the said workings, and the
12 boundary lines of said coal mine, and deposit a true copy of said map or
13 plan with the inspector of coal mines, to be filed in his office, and another
14 true copy of said map or plan with the recorder of the county in which
15 said coal mine is situated, to be filed in his office, both of which said copies
16 shall be deposited as aforesaid within three months from the day when
17 this act shall go into effect; and the original, or a copy of such map or
18 plan, shall also be kept for inspection at the office of such coal mine; and

19 during the month of January, of each and every year after this act shall
20 go into effect, the said owner, agent or operator shall furnish the inspector
21 and recorder, as aforesaid, with a statement and further map or plan of
22 the progress of the workings of such coal mine, continued from the last
23 report to the end of the December month just preceding; and the inspector
24 shall correct his map or plan of said workings in accordance with the state-
25 ment and map or plan thus furnished; and when any coal mine is worked
26 out or abandoned, that fact shall be reported to the inspector, and the
27 map or plan of such coal mine in the office of said inspector shall be care-
28 fully corrected and verified. The several coal mine inspectors in this State
29 shall furnish copies of all maps or plans of mines, to be filed with the
30 Bureau of Labor Statistics."

31 "Section 3. In all coal mines that are or have been in operation prior
32 to the first day of July, in the year of our Lord 1879, and which are
33 worked by or through a shaft, slope or drift, and in which more than five
34 miners are employed in each twenty-four hours, if there is not already an
35 escapement shaft to each and every said coal mine, or communication be-
36 tween each and every coal mine, and some other contiguous mine, then
37 there shall be an escapement shaft or other communication such as shall
38 be approved by the mine inspector, making at least two distinct means of
39 ingress and egress for all persons employed or permitted to work in such
40 coal mine. Such escapement shaft, or other communication with a contigu-
41 ous mine as aforesaid, shall be constructed in connection with every vein
42 or stratum of coal worked in such coal mine, which shall be at least three
43 and one-half feet high and at least five feet wide, and in no instance shall
44 the height of said roadway be less than the thickness of the vein or
45 stratum of coal through which it is driven; and the time to be allowed
46 for such construction shall be one year when such mine is under one
47 hundred (100) feet in depth; two years when such mine is over one
48 hundred (100) feet in depth and under three hundred (300) feet, and
49 three years when it is over three hundred (300) feet and under
50 four hundred (400) feet, and four years when it is over four hundred

51 (400) feet in depth, and five years for all mines over five hundred (500)
52 feet, from the first day of July, A. D. 1874; and in all cases where the
53 working force of one mine has been driven up to or into the workings
54 of another mine, the respective owners of such mine, while operating
55 the same, shall keep open a roadway at least five feet high and five
56 feet wide, thereby forming a communication as contemplated in this
57 act; and for a failure to do so shall be subject to the penalty provided
58 for in section 10, of this act, for each and every day such roadway is
59 unnecessarily closed. Each and every such escapement shaft shall be
60 separated from the main shaft by such extent of natural strata as shall
61 secure safety to the men employed in such mines, such distance to be
62 left to the discretion of the mine inspector or person acting in that capacity;
63 and in all coal mines that shall go into operation for the first time after
64 the first day of January, A. D. 1880, such an escapement, or other com-
65 munication with a contiguous mine as aforesaid, shall be constructed within
66 one year after such mine shall have been put into operation. And it shall
67 not be lawful for the owner, agent or operator of any such coal mine as
68 aforesaid to employ any person to work therein, or permit any person to
69 go therein for the purpose of working, except such persons as may be
70 necessary to construct such an escapement shaft, unless the requirements
71 of this section shall have first been complied with; and the term owner,
72 used in this act, shall mean the immediate proprietor, lessee or occupant of
73 any coal mine, or any part thereof, and the term agent shall mean any
74 person having on behalf of the owner the care or management of any
75 coal mine or any part thereof: *Provided*, that in all cases where any such
76 mine or mines have been put in operation for the first time on or since the
77 first day of January, A. D. 1883, and in all cases where such mine or mines
78 shall hereafter be put in operation in this State, the owner thereof or the
79 lessee or occupant of the same shall construct such an escapement shaft as
80 is now required by law in this State, at the rate of three hundred feet per
81 annum until such escapement shaft shall have been fully completed: *And*,
82 *provided, further*, that nothing in this section shall be construed to extend

83 the time heretofore allowed by law for constructing escapement shafts in
84 mines going into operation for the first time before said first day of Jan-
85 uary, A. D. 1883."

86 "Section 6. The owner, agent or operator of every coal mine operated by
87 shaft shall provide suitable means of signaling between the bottom and
88 top thereof, and shall also provide safe means of hoisting and lowering
89 persons in a cage covered with boiler iron, so as to keep safe, as far as
90 possible, persons descending into and ascending out of such shaft; and
91 such cage shall be furnished with guides to conduct it on slides through
92 such shaft, with a sufficient brake on every drum to prevent accident in
93 case of the giving out or breaking of the machinery; and such cage shall
94 be furnished with spring catches intended and provided, as far as possible,
95 to prevent the consequences of cable-breaking or the loosening or discon-
96 necting of the machinery; and no props or rails shall be lowered in a
97 cage while men are descending into or ascending out of said mine: *Provided,*
98 that the provisions of this section relating to covering cages with boiler
99 iron, shall not apply to coal mines less than one hundred feet in depth,
100 where the coal is raised by horse-power. No person under the age of fourteen
101 years, or females of any age, shall be permitted to enter any mine to work
102 therein. Any party or person neglecting or refusing to perform the duties
103 required to be performed by sections three, four, five, six, seven and eight,
104 shall be deemed guilty of a misdemeanor, and punished by fine in the dis-
105 cretion of the court trying the same, subject, however, to the limitations
106 as provided by section ten of this act."

107 "Section 9. Whenever loss of life, or serious personal injury, shall occur
108 by reason of any explosion, or of any accident whatsoever, in or about any
109 coal mine, it shall be the duty of the person having charge of such coal
110 mine to report the facts thereof, without delay, to the mine inspector of
111 the district in which said coal mine is situated; and if any person is killed
112 thereby, to notify the coroner of the county also, or, in his absence or in-
113 ability to act, any justice of the peace of said county; and the said inspector
114 shall, if he deem it necessary from the facts reported, immediately go to

115 the scene of said accident, and make such suggestions and render such
 116 assistance as he may deem necessary for the safety of the men. And the
 117 inspector shall investigate and ascertain the cause of such explosion or ac-
 118 cident, and make a report thereof, which he shall preserve with the other
 119 records of his office; and to enable him to make such investigations he shall
 120 have power to compel the attendance of witnesses, and administer oaths or
 121 affirmations to them, and the cost of such investigations shall be paid by
 122 the county in which such accident has occurred, in the same manner as
 123 costs of coroners' inquests are now paid. And the failure of the person in
 124 charge of the coal mine in which any such accident may have occurred, to
 125 give notice to the inspector or coroner, as provided for in this section, shall
 126 subject such person to a fine of not less than twenty-five dollars nor more
 127 than one hundred dollars, to be recovered in the name of the People of the
 128 State of Illinois, before any justice of the peace of such county, and such
 129 fine, when collected, shall be paid into the county treasury for the use of
 130 the county in which any such accident may have occurred."

131 "Section 11. This State shall be divided into five inspection districts, as
 132 follows, viz: The first district shall be composed of the counties of Boone,
 133 McHenry, Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy,
 134 Will, Livingston, Kankakee and Iroquois. Second district, the counties of
 135 JoDavies, Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock
 136 Island, Henry, Bureau, Mercer, Stark, Putnam, Marshall, Henderson, War-
 137 ren, Knox, Hancock, McDonough, Schuyler, Adams and Brown. The third
 138 district, the counties of Fulton, Peoria, Woodford, Tazewell, McLean, Ford,
 139 Mason, Cass, Menard, Logan, DeWitt, Piatt, Champaign and Vermilion.
 140 The fourth district, the counties of Pike, Scott, Morgan, Sangamon, Cal-
 141 houn, Greene, Jersey, Madison, Bond, Macoupin, Montgomery, Christian,
 142 Fayette, Macon, Moultrie, Shelby, Effingham, Douglas, Coles, Cumberland,
 143 Jasper, Edgar, Clark, Crawford, Clay, Richland and Lawrence. The fifth
 144 district, the counties of St. Clair, Clinton, Washington, Marion, Jefferson,
 145 Wayne, Edwards, Wabash, Hamilton, White, Monroe, Randolph, Perry,
 146 Jackson, Franklin, Williamson, Saline, Gallatin, Union, Johnson, Pope, Har-

147 din, Alexander, Pulaski and Massac. The Governor shall, upon the recom-
 148 mendation of a board of examiners, selected for that purpose, composed of
 149 two practical coal miners, one of whom shall be an acting underground
 150 superintendent, two coal operators, and one mining engineer, to be appointed
 151 by the 'Bureau of Labor Statistics' of this State, all of whom shall be
 152 sworn to a faithful discharge of their duties, appoint five properly qualified
 153 persons to fill the offices of inspectors of coal mines of this State, (being
 154 one inspector for each district provided for in this act) whose commissions
 155 shall be for the term of one year, but they shall at all times be subject to
 156 removal from office for neglect of duty, or malfeasance in the discharge of
 157 duty as hereinafter provided for; and the inspectors so appointed shall have
 158 attained the age of thirty years, be citizens of this State, and have a knowl-
 159 edge of mining engineering sufficient to conduct the development of coal
 160 mines, and a practical knowledge of the methods of conducting mining for
 161 coal in the presence of explosive gases, and of the proper ventilation of
 162 coal mines. They shall have a practical mining experience of ten years and
 163 shall not be interested as owner, operator, stockholder, superintendent or
 164 mining engineer of any coal mine during their term of office, and shall
 165 be of good moral character and temperate habits, and shall not be guilty
 166 of any act tending to the injury of miners or operators of mines during
 167 their term of office. They shall be provided by the State with the most
 168 approved modern instruments for carrying out the intention of this act.
 169 The inspectors, before assuming the duties of their several offices, shall take
 170 an oath of office, as provided for by the constitution, and shall be required
 171 to enter into a bond to the State in the sum of five thousand dollars, with
 172 sureties to be approved by the Governor, conditioned upon the faithful
 173 performance of their duties in every particular, as required by this act;
 174 said bond, with the approval of the Governor endorsed thereon, together
 175 with the oath of office, shall be deposited with the Secretary of State.
 176 The salaries of the inspectors provided for by this act shall be eighteen
 177 hundred dollars per annum, each, and the Auditor of Public Accounts is
 178 hereby authorized to draw his warrant on the treasury in their favor, quar-

terly, for the amount specified in this section for the salary of each inspector: *Provided*, that the county board of any county may appoint an assistant inspector for such county, who shall act under the direction of the district inspector in the performance of his duties, and shall receive not less than three dollars, nor more than five dollars per day, for the time actually employed, to be paid out of the county treasury; and he may be removed by such county board at any time.

"Section 12. The inspectors provided for by this act shall devote their whole time and attention to the duties of their office, and make personal examination of every mine within their respective districts, and shall see that every necessary precaution is taken to insure the health and safety of the workmen employed in such mines, and that the provisions and requirements of the mining laws of this State are faithfully observed and obeyed and the penalties of the same enforced. They shall also make annual reports to the "Bureau of Labor Statistics" of their acts during the year in the discharge of their duties, with their recommendation as to legislation necessary on the subject of mining, and shall collect and tabulate upon blanks furnished by said Bureau all desired statistics of the mines and miners within their districts, to accompany said annual report; they shall also furnish such information as they may have obtained on this subject, when called for, to the State Geologist. Upon a petition signed by not less than three reputable coal operators, and ten coal miners, setting forth that any inspector of coal mines neglects his duties, or that he is incompetent, or that he is guilty of malfeasance in office, or guilty of any act tending to the injury of miners or operators of mines, it may be lawful for the Bureau of Labor Statistics of this State to issue a citation to the said inspector to appear at no less than fifteen days' notice, on a day fixed, before them, when the said Bureau shall proceed to inquire into and investigate the allegations of the petitioners; and if the said Bureau find that the said inspector is neglectful of his duty, or that he is, by reason of causes that existed before his appointment, or that have arisen since his appointment, incompetent to perform the duties of said office, or that he is

211 guilty of malfeasance in office, or guilty of any act tending to the injury
212 of miners or operators of mines, the said Bureau shall declare the office of
213 inspector of the said district vacant, and a properly qualified person shall
214 be appointed to fill the office in compliance with the provisions of this act;
215 and the cost of said investigation by the said Bureau shall be borne by
216 the removed inspector; but if the allegations of the petitioners are not sus-
217 tained by the final decision of the said Bureau, the costs shall be paid by
218 the petitioners. The board of examiners provided for in section eleven, of
219 this act, shall be appointed at the annual meeting of the Bureau of Labor
220 Statistics, and shall hold their offices for one year. They shall meet
221 annually at the State capital on the first Monday in September, in each
222 year, and special meetings may be called at any time by the Bureau of
223 Labor Statistics when the office of coal mine inspector becomes from any
224 cause vacant. They shall receive as compensation the sum of three dollars
225 per day, each, for time actually employed in the duties of their office, and
226 actual traveling expenses, to be verified by affidavit: *Provided*, that in no
227 case shall the per diem received by any member of said board exceed the
228 sum of thirty dollars per annum. The Auditor of Public Accounts is
229 hereby authorized to draw his warrant in favor of each member of the
230 board of examiners at the close of their annual session, for the full amount
231 due them for attending annual and special sessions and expenses, upon
232 vouchers sworn to by them and approved by the Secretary of the Bureau
233 of Labor Statistics, and the Governor."

1. Introduced by Committee on Mines and Mining, March 23, 1883, and read first time, and ordered to second reading.
2. Second reading April 5, 1883, amended and ordered to a third reading.
3. Vote whereby bill failed to pass, reconsidered June 6, 1883, amended by unanimous consent, and ordered printed as amended for a third reading.

A BILL

For An Act to amend sections one, three, six, nine, eleven and twelve of an act entitled "An act providing for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879, and making the necessary appropriations for carrying out the provisions of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections one, three, six, nine, eleven and twelve, of
3 an act entitled "An act providing for the health and safety of persons
4 employed in coal mines," approved May 28, 1879, in force July 1, 1879, be
5 amended, so as to read as follows:

6 "Section 1. That the owner, or agent or operator of each and every coal
7 mine in this State, employing ten men or more, shall make, or cause to be
8 made, at the discretion of the inspector, or person acting in that capacity,
9 an accurate map or plan of the workings of such coal mine, and of each
10 and every vein thereof, showing the general inclination of the strata,
11 together with any material deflections in the said workings, and the
12 boundary lines of said coal mine, and deposit a true copy of said map or
13 plan with the inspector of coal mines, to be filed in his office, and another
14 true copy of said map or plan with the recorder of the county in which
15 said coal mine is situated, to be filed in his office; both of which said copies
16 shall be deposited as aforesaid within three months from the day when

17 this act shall go into effect; and the original, or a copy of such map or
18 plan, shall also be kept for inspection at the office of such coal mine; and
19 during the month of January, of each and every year after this act shall
20 go into effect, the said owner, agent or operator shall furnish the inspector
21 and recorder, as aforesaid, with a statement and further map or plan of
22 the progress of the workings of such coal mine, continued from the last
23 report to the end of the December month just preceding; and the inspector
24 shall correct his map or plan of said workings in accordance with the state-
25 ment and map or plan thus furnished; and when any coal mine is worked
26 out or abandoned, that fact shall be reported to the inspector, and the
27 map or plan of such coal mine in the office of said inspector shall be care-
28 fully corrected and verified. The several coal mine inspectors in this State
29 shall furnish copies of all maps or plans of mines, to be filed with the
30 Bureau of Labor Statistics.

31 "Section 3. In all coal mines that are or have been in operation prior
32 to the first day of July, in the year of our Lord 1879, and which are
33 worked by or through a shaft, slope or drift, and in which more than five
34 miners are employed in each twenty-four hours, if there is not already an
35 escapement shaft to each and every said coal mine, or communication be-
36 tween each and every coal mine, and some other contiguous mine, then
37 there shall be an escapement shaft or other communication such as shall
38 be approved by the mine inspector, making at least two distinct means of
39 ingress and egress for all persons employed or permitted to work in such
40 coal mine. Such escapement shaft, or other communication with a contigu-
41 ous mine as aforesaid, shall be constructed in connection with every vein
42 or stratum of coal worked in such coal mine, which shall be at least three
43 and one-half feet high and at least five feet wide, and in no instance shall
44 the height of said roadway be less than the thickness of the vein or
45 stratum of coal through which it is driven; and the time to be allowed
46 for such construction shall be one year when such mine is under one
47 hundred (100) feet in depth; two years when such mine is over one
48 hundred (100) feet in depth and under three hundred (300) feet, and

49 three years when it is over three hundred (300) feet and under
50 four hundred (400) feet, and four years when it is over four hundred
51 (400) feet in depth, and five years for all mines over five hundred (500)
52 feet, from the first day of July, A. D. 1879; and in all cases where the
53 working force of one mine has been driven up to or into the workings
54 of another mine, the respective owners of such mine, while operating
55 the same, shall keep open a roadway at least five feet high and five
56 feet wide, thereby forming a communication as contemplated in this
57 act; and for a failure to do so shall be subject to the penalty provided
58 for in section 10 of this act. for each and every day such roadway is
59 unnecessarily closed. Each and every such escapement shaft shall be
60 separated from the main shaft by such extent of natural strata as shall
61 secure safety to the men employed in such mines, such distance to be
62 left to the discretion of the mine inspector or person acting in that capacity;
63 and in all coal mines that shall go into operation for the first time after
64 the first day of January, A. D. 1880, such an escapement, or other com-
65 munication with a contiguous mine as aforesaid, shall be constructed within
66 one year after such mine shall have been put into operation. And it shall
67 not be lawful for the owner, agent or operator of any such coal mine as
68 aforesaid to employ any person to work therein, or permit any person to
69 go therein for the purpose of working, except such persons as may be
70 necessary to construct such an escapement shaft, unless the requirements
71 of this section shall have first been complied with; and the term owner,
72 used in this act, shall mean the immediate proprietor, lessee or occupant of
73 any coal mine, or any part thereof, and the term agent shall mean any
74 person having on behalf of the owner the care or management of any
75 coal mine or any part thereof: *Provided*, that in all cases where any such
76 mine or mines have been put in operation for the first time on or since the
77 first day of January, A. D. 1880, and in all cases where such mine or mines
78 shall hereafter be put in operation in this State, the owner thereof or the
79 lessee or occupant of the same shall construct such an escapement shaft as
80 is now required by law in this State, at the rate of two hundred feet per

81 annum until such escapement shaft shall have been fully completed: *And,*
82 *provided, further,* that nothing in this section shall be construed to extend
83 the time heretofore allowed by law for constructing escapement shafts in
84 mines going into operation for the first time before said first day of Jan-
85 uary, A. D. 1880.

86 Section 6. The owner, agent or operator of every coal mine operated by
87 shaft shall provide suitable means of signaling between the bottom and
88 top thereof, and shall also provide safe means of hoisting and lowering
89 persons in a cage covered with boiler iron, so as to keep safe, as far as
90 possible, persons descending into and ascending out of such shaft; and
91 such cage shall be furnished with guides to conduct it on slides through
92 such shaft, with a sufficient brake on every drum to prevent accident in
93 case of the giving out or breaking of the machinery; and such cage shall
94 be furnished with spring catches intended and provided, as far as possible
95 to prevent the consequences of cable-breaking or the loosening or discon-
96 necting of the machinery; and no props or rails shall be lowered in a
97 cage while men are descending into or ascending out of said mine: *Provided,*
98 that the provisions of this section relating to covering cages with boiler
99 iron, shall not apply to coal mines less than one hundred feet in depth,
100 where the coal is raised by horse-power. No person under the age of four-
101 teen years, or females of any age, shall be permitted to enter any mine to work
102 therein. Any party or person neglecting or refusing to perform the duties
103 required to be performed by sections three, four, five, six, seven and eight,
104 shall be deemed guilty of a misdemeanor, and punished by fine in the dis-
105 cretion of the court trying the same, subject, however, to the limitations
106 as provided by section ten of this act.

107 Section 9. Whenever loss of life, or serious personal injury, shall occur
108 by reason of any explosion, or of any accident whatsoever, in or about any
109 coal mine, it shall be the duty of the person having charge of such coal
110 mine to report the facts thereof, without delay, to the mine inspector of
111 the district in which said coal mine is situated; and if any person is killed
112 thereby to notify the coroner of the county also, or, in his absence or in-

113 ability to act, any justice of the peace of said county; and the said inspector
 114 shall, if he deem it necessary from the facts reported, immediately go to
 115 the scene of said accident, and make such suggestions and render such
 116 assistance as he may deem necessary for the safety of the men. And the
 117 inspector shall investigate and ascertain the cause of such explosion or ac-
 118 cident, and make a report thereof, which he shall preserve with the other
 119 records of his office; and to enable him to make such investigations he shall
 120 have power to compel the attendance of witnesses, and administer oaths or
 121 affirmations to them, and the cost of such investigations shall be paid by
 122 the county in which such accident has occurred, in the same manner as
 123 costs of coroners' inquests are now paid. And the failure of the person in
 124 charge of the coal mine in which any such accident may have occurred, to
 125 give notice to the inspector or coroner, as provided for in this section, shall
 126 subject such person to a fine of not less than twenty-five dollars, nor more
 127 than one hundred dollars, to be recovered in the name of the People of the
 128 State of Illinois, before any justice of the peace of such county, and such
 129 fine when collected, shall be paid into the county treasury for the use of
 130 the county in which any such accident may have occurred.

131 Section 11. This State shall be divided into five inspection districts, as
 132 follows, viz: The first district shall be composed of the counties of Boone,
 133 McHenry, Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy,
 134 Will, Livingston, Kankakee and Iroquois. Second district, the counties of
 135 Jo Daviess, Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock
 136 Island, Henry, Bureau, Mercer, Stark, Putnam, Marshall, Henderson, War-
 137 ren, Knox, Hancock, McDonough, Schuyler, Adams and Brown. The third
 138 district, the counties of Fulton, Peoria, Woodford, Tazewell, McLean, Ford,
 139 Mason, Cass, Menard, Logan, DeWitt, Piatt, Champaign and Vermilion.
 140 The fourth district, the counties of Pike, Scott, Morgan, Sangamon, Cal-
 141 houn, Greene, Jersey, Madison, Bond, Macoupin, Montgomery, Christian,
 142 Fayette, Macon, Moultrie, Shelby, Effingham, Douglas, Coles, Cumberland,
 143 Jasper, Edgar, Clark, Crawford, Clay, Richland and Lawrence. The fifth
 144 district, the counties of St. Clair, Clinton, Washington, Marion, Jefferson,

145 Wayne, Edwards, Wabash, Hamilton, White, Monroe, Randolph, Perry,
146 Jackson, Franklin, Williamson, Saline, Gallatin, Union, Johnson, Pope, Har-
147 din, Alexander, Pulaski and Massac. The Governor shall, upon the recom-
148 mendation of a board of examiners, selected for that purpose, composed of
149 two practical coal miners, one of whom shall be an acting underground
150 superintendent, two coal operators, and one mining engineer, to be appointed
151 by the "Bureau of Labor Statistics" of this State, all of whom shall be
152 sworn to a faithful discharge of their duties, appoint five properly qualified
153 persons to fill the offices of inspectors of coal mines of this State, (being
154 one inspector for each district provided for in this act), whose commissions
155 shall be for the term of one year, but they shall at all times be subject to
156 removal from office for neglect of duty, or malfeasance in the discharge of
157 duty as hereinafter provided for; and the inspectors so appointed shall have
158 attained the age of thirty years, be citizens of this State, and have a knowl-
159 edge of mining engineering sufficient to conduct the development of coal
160 mines, and a practical knowledge of the methods of conducting mining for
161 coal in the presence of explosive gases, and of the proper ventilation of
162 coal mines. They shall have a practical mining experience of ten years and
163 shall not be interested as owner, operator, stockholder, superintendent or
164 mining engineer of any coal mine during their term of office, and shall
165 be of good moral character and temperate habits, and shall not be guilty
166 of any act tending to the injury of miners or operators of mines during
167 their term of office. They shall be provided by the State with the most
168 approved modern instruments for carrying out the intention of this act.
169 The inspectors, before assuming the duties of their several offices, shall take
170 an oath of office, as provided for by the constitution, and shall be required
171 to enter into a bond to the State in the sum of five thousand dollars, with
172 sureties to be approved by the Governor, conditioned upon the faithful
173 performance of their duties in every particular, as required by this act;
174 said bond, with the approval of the Governor endorsed thereon, together
175 with the oath of office, shall be deposited with the Secretary of State.
176 The salaries of the inspectors provided for by this act shall be eighteen

177 hundred dollars per annum, each, and the Auditor of Public Accounts is
 178 hereby authorized to draw his warrant on the treasury in their favor, quar-
 179 terly, for the amount specified in this section for the salary of each inspec-
 180 tor: *Provided* that the county board of any county may appoint an assistant
 181 inspector for such county, who shall act under the direction of the district
 182 inspector in the performance of his duties, and shall receive not less than
 183 three dollars, nor more than five dollars per day, for the time actually em-
 184 ployed, to be paid out of the county treasury; and he may be removed by
 185 such county board at any time.

186 Section 12. The inspectors provided for by this act shall devote their
 187 whole time and attention to the duties of their office, and make personal
 188 examination of every mine within their respective districts, and shall see
 189 that every necessary precaution is taken to insure the health and safety of
 190 the workmen employed in such mines, and that the provisions and require-
 191 ments of the mining laws of this State are faithfully observed and obeyed,
 192 and the penalties of the same enforced. They shall also make annual re-
 193 ports to the "Bureau of Labor Statistics" of their acts during the year in
 194 the discharge of their duties, with their recommendation as to legislation
 195 necessary on the subject of mining, and shall collect and tabulate upon
 196 blanks furnished by said Bureau all desired statistics of the mines and
 197 miners within their districts, to accompany said annual report; they shall
 198 also furnish such information as they may have obtained on this subject,
 199 when called for, to the State Geologist. Upon a petition signed by not less
 200 than three reputable coal operators, or ten coal miners, setting forth that
 201 any inspector of coal mines neglects his duties, or that he is incompetent
 202 or that he is guilty of malfeasance in office, or guilty of any act tending to
 203 the injury of miners or operators of mines, it may be lawful for the Bureau
 204 of Labor Statistics of this State to issue a citation to the said inspector to
 205 appear at no less than fifteen days' notice, on a day fixed before them, when
 206 the said Bureau shall proceed to inquire into and investigate the allegations
 207 of the petitioners, and if the said Bureau find that the said inspector is neg-
 208 lectful of his duty, or that he is, by reason of causes that existed before his

209 appointment, or that have arisen since his appointment, incompetent to per-
210 form the duties of said office, or that he is guilty of malfeasance in office, or guilty
211 of any act tending to the injury of miners or operators of mines, the said Bureau
212 shall declare the office of inspector of the said district vacant, and a properly
213 qualified person shall be appointed to fill the office in compliance with the
214 provisions of this act; and the cost of said investigation by the said Bureau
215 shall be borne by the removed inspector; but if the allegations of the peti-
216 tioners are not sustained by the final decision of the said Bureau, the costs
217 shall be paid by the petitioners. The board of examiners provided for in sec-
218 tion eleven of this act, shall be appointed at the annual meeting of the Bu-
219 reau of Labor Statistics, and shall hold their offices for one year. They
220 shall meet annually at the State capital on the first Monday in September, in
221 each year, and special meetings may be called at any time by the Bureau of
222 Labor Statistics when the office of coal mine inspector becomes, from any
223 cause, vacant. They shall receive as compensation the sum of three dollars
224 per day, each, for time actually employed in the duties of their office, and
225 actual traveling expenses, to be verified by affidavit: *Provided*, that in no case
226 shall the per diem received by any member of said board exceed the sum of
227 thirty dollars per annum. The Auditor of Public Accounts is hereby author-
228 ized to draw his warrant in favor of each member of the board of examiners at
229 the close of their annual session, for the full amount due them for attending
230 annual and special sessions and expenses, upon vouchers sworn to by them
231 and approved by the Secretary of the Bureau of Labor Statistics, and the
232 Governor.

1. Introduced by Committee on Municipalities, March 23, 1883, read first time, and referred to Committee on Railroads.
2. Reported back with amendments, passage recommended, and ordered to second reading.
3. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to regulate and prevent extortion by persons, associations or corporations owning, controlling or operating sleeping cars.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

General Assembly: That all persons, and association of individuals or corporations owning, controlling or operating any sleeping cars within the limits of the State, be, and the same are hereby declared to be common carriers, and subject to all liabilities as such, and to all rules, regulations and laws governing, regulating and controlling the same.

§ 2. No persons, association of individuals or corporations owning, controlling or operating any such sleeping cars within the limits of this State, shall by themselves, their agents or employees charge, demand or receive from any person a higher rate than one dollar and fifty cents (1.50) for the sole use and occupation for any time not exceeding twenty-four hours of a lower berth in said sleeping car, and one dollar for the sole use and occupation for any time not exceeding twenty-four hours of an upper berth in said sleeping car, or two dollars and fifty cents for the sole use and occupation of a section of said sleeping car, comprising a lower and upper berth, for a period of any time not exceeding twenty-four hours, or three dollars and fifty cents for the sole use and occupation of a state room in said sleeping car, for any time not exceeding twenty-four hours.

§ 3. Any such persons, association of individuals or corporations violating the provisions of this act, shall be deemed guilty of extortion, and upon conviction thereof, shall be fined in a sum not less than one hundred dollars, nor more than five hundred dollars for each offense, to be recovered in an action of debt in any court of competent jurisdiction; and it is hereby made the duty of the state's attorney of every county into or through which such sleeping cars may be transported, to institute prosecutions upon sworn complaint being made to them that the provisions of this act have been violated, against the persons, association of individuals or corporations violating the same. All such prosecutions shall be in the name of the People of the State of Illinois, and the moneys arising therefrom shall be paid into the county treasury for school purposes in such county. The state's attorney shall be entitled to receive for his services as compensation ten per cent. of the sum or sums recovered as aforesaid.

§ 4. All such persons and association of individuals, jointly and severally, and each stockholder of any such corporation, shall be held individually liable to the creditors of such corporation to an amount not exceeding the amount unpaid on the stock held by him, for any and all debts and liabilities of such corporation until the whole amount of the capital stock of such corporation so held by him shall have been paid.

1. Introduced by the Committee on Municipalities. March 23, 1883, and ordered to first reading.
 2. First reading March 24, 1883, and referred to Committee on Judiciary.
 3. Reported back April 25, 1883, with amendments, passage recommended, and ordered to second reading.
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AMENDMENTS TO SENATE BILL NO. 374, PROPOSED BY THE COMMITTEE ON JUDICIARY.

1. Strike out the final "s" from the word "sections," and the word and
2 figures "and 129," in the title of the bill.
2. Strike out the final "s" from the word "sections," and the word and figures
4 "and 129," in the second line of section 1 of the bill.
3. Strike out all of section 127 on the second page of the bill, and insert
6 in lieu thereof the following: "Whoever keeps a house, room, building,
7 booth, yard, garden, boat, float or any place, by himself or his agents, to be
8 used and occupied as a place where persons play for money or other valuable
9 thing at the games known as "brace," "brace-faro," "bunko," "three-card
10 monte," or "confidence" or any other similar games, or keeps or suffers to be
11 kept in his place of business any table, apparatus, or other device to be used
12 in such fraudulent gaming, or whoever invites, entices or decoys another
13 person into any such fraudulent gaming place, for the purpose of defrauding
14 him of money or other valuable thing; or whoever shall persuade or entice
15 another to play for money or any other valuable thing at the games known
16 as "brace," "brace-faro," "bunko," "three-card monte," "confidence" or any
17 similar game, upon any railroad train, water craft or any place whatever,
18 shall, for any of said offences, be deemed guilty of a felony, and punished by
19 confinement in the penitentiary not less than one nor more than five years."
4. Strike out all of section 129.

A BILL

For An Act to amend sections 127 and 129 of an act entitled "An act to revise the law in relation to criminal jurisprudence, approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That sections 127 and 129 of an act entitled "An act to
3 revise the law in relation to criminal jurisprudence," approved March 27,
4 1874, in force July 1, 1874, be amended, so as to read as follows:

5 "Section 127. Whoever keeps a common gaming house, or in any building,
6 booth, yard, garden, boat or float, by him or his agent used and occupied,
7 procures or permits any person to frequent or to come together to play for
8 money or other valuable thing at any game, or keeps or suffers to be kept
9 any tables or other apparatus for the purpose of playing at any game or
10 sport for money or other valuable thing, or knowingly rents any such place
11 for such purpose, shall, upon conviction, be fined not less than one hundred
12 dollars, nor more than five hundred dollars. And whoever keeps a room,
13 rooms, building, booth, yard, garden, boat or float, by him or his agents used
14 and occupied, procures or permits any person to frequent or come together
15 to play for money or other valuable thing at the games known as "brace" or
16 "brace-faro," "bunko," "three-card monte" or "confidence," or keeps or suffers
17 to be kept any table, apparatus or device for fraudulent gaming, by which
18 any person may be defrauded or swindled out of any money or other valuable
19 thing, shall, upon conviction, be deemed guilty of a felony, and shall be fined
20 one thousand dollars, and be imprisoned in the penitentiary not less than
21 two years nor more than ten years.

22 "Section 129. If any one shall, through invitation or device, prevail upon
23 any person to play for money or other valuable thing at the games known
24 as "brace" or "brace-faro," "bunko," "three-card monte" or "confidence," upon
25 any railroad train, steamboat or other water craft, or at a fair, or through

26 invitation or device, prevail on any person to visit any room, rooms, building,
27 booth, yard, garden, boat or float, kept for the purpose of playing for money
28 or other valuable thing, at any of the games mentioned in this section, or
29 where any table, apparatus or device for fraudulent gaming may be kept or
30 exhibited, by which any person may be defrauded or swindled out of money
31 or other valuable thing, shall, upon conviction, be deemed guilty of a felony,
32 and shall be fined not less than one hundred dollars, nor more than five
33 hundred dollars, and be imprisoned in the penitentiary not less than one
34 year nor more than five years.



1. Introduced by Committee on Municipalities, March 23, 1883, read first time, and referred to Committee on Judiciary.
 2. Reported back with amendments, passage recommended, and ordered to second reading.
 3. Second reading May 11, 1883, and ordered to third reading.
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A BILL

For An Act to amend section 127 of an act entitled "An act to revise the law in relation to criminal jurisprudence, approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 127 of an act entitled "An act to revise the
3 law in relation to criminal jurisprudence," approved March 27, 1874, in force
4 July 1, 1874, be amended, so as to read as follows:

5 "Section 127. Whoever keeps a common gaming house, or in any building,
6 booth, yard, garden, boat or float, by him or his agent used and occupied,
7 procures or permits any person to frequent or to come together to play for
8 money or other valuable thing at any game, or keeps or suffers to be kept
9 any tables or other apparatus for the purpose of playing at any game or
10 sport for money or other valuable thing, or knowingly rents any such place
11 for such purpose, shall, upon conviction, be fined not less than one hundred
12 dollars, nor more than five hundred dollars. Whoever keeps a house, room,
13 building, booth, yard, garden, boat, float or any place, by himself or his
14 agents, to be used and occupied as a place where persons play for money or
15 other valuable thing at the games known as "brace," "brace-faro," "bunko,"
16 "three-card monte," or "confidence" or any other similar games, or keeps or
17 suffers to be kept in his place of business any table, apparatus, or other
18 device to be used in such fraudulent gaming, or whoever invites, entices or

19 decoys another person into any such fraudulent gaming place, for the
20 purpose of defrauding him of money or other valuable thing; or whoever
21 shall persuade or entice another to play for money or any other valuable
22 thing at the games known as "brace," "brace-faro," "bunko," "three card
23 monte," "confidence" or any similar game, upon any railroad train, water
24 craft or any place whatever, shall, for any of said offenses, be deemed guilty
25 of a felony, and punished by confinement in the penitentiary not less than
26 one nor more than five years."

1. Introduced by Mr. Whiting, March 23, 1883, and ordered to first reading.
2. First reading March 23, 1883, and referred to Committee on Appropriations.
3. Reported back March 29, 1883, with amendment, passage recommended, and ordered to second reading.

A BILL

For An Act for the relief of Jacob and Nicholas Luchsinger, of Bureau county, Illinois, and making an appropriation in their favor.

WHEREAS, the General Assembly, by an act entitled "An act to provide for the payment of damages to lands and other property, sustained by the owners thereof, by the construction of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and by the construction of the dam on the Illinois river near Henry, in Marshall county, Illinois," approved May 31, 1879, appropriated (among other appropriations for the benefit of many such owners) to the said Jacob and Nicholas Luchsinger, the sum of two hundred and ninety dollars, for damages sustained by them to their lands, by reason of the construction of the said dam across the Illinois river near Henry, Illinois;

AND, WHEREAS, the said two hundred and ninety dollars remains wholly unpaid, and the same is lapsed into the State treasury without his fault; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the said sum of two hundred and ninety dollars, be, and the same is hereby appropriated to the use and benefit of the said Jacob and Nicholas Luchsinger, in payment of the damages allowed to them in the above act, and the same shall be in full of all claim or demand for damages against the State sustained by said Jacob and Nicholas Luchsinger, by reason of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts, of all such damages by the said Jacob and Nicholas Luchsinger, the Auditor of Public Accounts shall draw his warrant on the State treasurer for the said sum of two hundred and ninety dollars, in favor of the said Jacob and Nicholas Luchsinger, payable out of any funds in the State treasury, not otherwise appropriated.

AMENDMENT RECOMMENDED BY COMMITTEE ON APPROPRIATIONS.

Amend by striking out the word "Luchseinger," wherever it may occur in the title and bill, and insert in lieu thereof, the word "Lucinger."

1. Introduced by Mr. Whiting, March 23, 1883, and ordered to first reading.
2. First reading March 23, 1883, and referred to Committee on Appropriations.
3. Reported back March 29, 1883, with amendments, passage recommended, and ordered to second reading.
3. Second reading April 10, 1883, amended, and ordered to third reading.

A BILL

For An Act for the relief of Jacob and Nicholas Lucinger, of Bureau county, Illinois, and making an appropriation in their favor.

WHEREAS, the General Assembly, by an act entitled "An act to provide for the payment of damages to lands and other property sustained by the owners thereof, by the construction of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and by the construction of the dam on the Illinois river near Henry, in Marshall county, Illinois," approved May 31, 1879, appropriated (among other appropriations for the benefit of many such owners) to the said Jacob and Nicholas Lucinger, the sum of two hundred and ninety dollars, for damages sustained by them to their lands by reason of the construction of the said dam across the Illinois river near Henry, Illinois; and,

WHEREAS, the said two hundred and ninety dollars remains wholly unpaid, and the same is lapsed into the State Treasury without their fault; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the said sum of two hundred and ninety dollars be and the same is hereby appropriated to the use and benefit of the said Jacob and Nicholas Lucinger, in payment of the damages allowed to them in the above act, and the same shall be in full of all claim or demand for damages against the State sustained by said Jacob and Nicholas Lucinger, by reason of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts of all such damages by the said Jacob and Nicholas Lucinger, the Auditor of Public Accounts shall draw his

3 warrant on the State Treasurer, for the said sum of two hundred and ninety dollars, in favor
4 of the said Jacob and Nicholas Lucinger, payable out of any funds in the State Treasury
5 not otherwise appropriated.

1. Reported to House April 21, 1883.
2. First reading April 30, 1883, and referred to Committee on Appropriations.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 11, 1883.

AMENDMENTS BY COMMITTEE ON CLAIMS TO SENATE BILL NO. 376.

- Amend by inserting after the word "damages," in the 3d line of section two, of written
- 2 bill, the words, "which have accrued or may hereafter accrue."
 - 3 Amend by inserting after the word "Lucinger," in the 4th line of the aforesaid section
 - 4 and bill, the words, "and the present owner or owners of all land formerly owned by said
 - 5 Lucinger, and damaged by the construction of the dam on the Illinois river, near Henry."

A BILL

For An Act for the relief of Jacob and Nicholas Lucinger, of Bureau county, Illinois, and making
an appropriation in their favor.

-
- WHEREAS, the General Assembly, by an act entitled "An act to provide for the payment
- 2 of damages to lands and other property sustained by the owners thereof, by the construc-
 - 3 tion of the dam on the Little Wabash river at New Haven, in Gallatin county, Illinois, and
 - 4 by the construction of the dam on the Illinois river near Henry, in Marshall county, Illi-
 - 5 nois," approved May 31, 1879, appropriated (among other appropriations for the benefit of
 - 6 many such owners) to the said Jacob and Nicholas Lucinger, the sum of two hundred
 - 7 and ninety dollars, for damages sustained by them to their lands by reason of the construc-
 - 8 tion of the said dam across the Illinois river near Henry, Illinois; and.
 - 9 WHEREAS, the said two hundred and ninety dollars remains wholly unpaid, and the
 - 10 same is lapsed into the State Treasury without their fault, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the said sum of two hundred and ninety dollars be and the same is hereby appropriated to the use and benefit of the said Jacob and Nicholas Lucinger, in payment of the damages allowed to them in the above act, and the same shall be in full of all claim or demand for damages against the State sustained by said Jacob and Nicholas Lucinger, by reason of the construction of said dam.

§ 2. Upon a release being filed with the Auditor of Public Accounts of all such damages by the said Jacob and Nicholas Lucinger, the Auditor of Public Accounts shall draw his warrant on the State Treasurer, for the said sum of two hundred and ninety dollars, in favor of the said Jacob and Nicholas Lucinger, payable out of any funds in the State Treasury not otherwise appropriated.

HOUSE AMENDMENTS TO SENATE BILL NO. 376.

Amend by inserting after the word "damages," in the third line of section two,
2 of written bill, the words, "which have accrued or may hereafter accrue."

3 Amend by inserting after the word "Lucinger," in the fourth line of the
4 aforesaid section and bill, the words, "and the present owner or owners of land
5 formerly owned by said Lucinger, and damaged by the construction of the dam
6 on the Illinois river, near Henry."

1. Introduced by Committee on Education, March 23, 1883, and ordered to a first reading.
2. First reading March 23, and ordered to a second reading.

A BILL

For An Act to amend section 1, of an act entitled "An act to enable counties to establish county normal schools," approved and in force March 15, 1869

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section 1, of an act entitled "An act to enable coun-
3 ties to establish county normal schools," be amended so as to read as follows:
4 "Section 1. That in each county adopting township organization, the board
5 of supervisors, and in other counties, the county court, may establish a coun-
6 ty normal school for the purpose of fitting teachers for the common schools.
7 That they shall be authorized to levy taxes and appropriate moneys for the
8 support of said schools, and also for the purchase of necessary grounds and
9 buildings, furniture, apparatus, etc., and to hold and acquire, by gift or pur-
10 chase, either by individuals or corporations, any real estate, buildings or
11 other property, for the use of said schools; said taxes to be levied and col-
12 lected as all other county taxes: *Provided*, that in counties not under town-
13 ship organization, county courts shall not be authorized to proceed under the
14 provisions of this act, until the subject shall have been submitted to a vote
15 of the people at a general election, and it shall appear that a majority of all
16 the votes cast on the subject, at said election, shall be in favor of the estab-
17 lishment of a county normal school. The ballots used in voting on this sub-
18 ject may read, 'For a county normal school,' or 'Against a county normal
19 school.' It shall be unlawful for the corporate authorities of any city, town

20 or village, or the county board of any county, to grant a license for the
21 keeping of any dram-shop within a less distance than one mile of the prin-
22 cipal building in which any county normal school in this State is, or may be
23 established."

1. Introduced by Mr. Scharer, March 23, 1988, and ordered to first reading.
2. First reading March 23, 1988, and referred to Committee on Education and Educational Institutions.
3. Reported back, April 11, 1988, with amendments, passage recommended, and ordered to a second reading.

A BILL

For An Act to amend an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved May 18, 1874, in force June 1, 1875.

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 Assembly: That an act entitled "An act to regulate the practice of medicine in the State of

3. "Illinois" approved March 29, 1877, in force July 1, 1878, be amended so as to read as follows:

4. That every person practicing medicine, in any of its departments, shall possess the qualifications

5 required by this act. If a graduate in medicine, he shall present his diploma to the State Board

of Health for verification as to its genuineness. If the diploma is found genuine, and if the

7 person named therein to be the person claiming and presenting the same, the State Board of

8 Health shall issue its certificate to that effect, signed by all the members thereof, and such

9 diploma and certificate shall be conclusive as to the right of the lawful holder of the same to

to practice medicine in this State or to be a graduate, the person practicing medicine in this State

I shall present himself before said Board, and submit himself to such examination as the said

3. board shall require; and, if the examination be satisfactory to the examiner, the said board

~~It shall issue its certificates in accordance with the facts, and the lawful holder of each certificate~~

4. shall be entitled to all the rights and privileges herein mentioned.

§ 2. The State Board of Health shall organize within three months after the passage

3 of this act; it shall procure a seal, and shall receive through its Secretary applications for

3 certificates and examinations; the president shall have authority to administer oaths, and the

4. Board to take testimony in all matters relating to its duties; it shall have certificates to all who

5 furnish satisfactory proof of having received diploma or license from legally authorized medical

6 institutions in good standing; it shall prepare two forms of certificates, one for persons in

7 possession of diplomas or licenses, the other for candidates examined by the board; it shall furnish to the county clerks of the several counties a list of all persons receiving certificates. In selecting places to hold its meetings it shall, as far as is reasonable, accommodate applicants residing in different sections of the State, and due notice shall be published of all its meetings. 11 Certificates shall be signed by all members of the board.

§ 3. Said State Board of Health shall examine diplomas as to their genuineness, and if the diploma shall be found genuine as represented, the Secretary of the State Board of Health shall receive a fee of five (\$5) dollars from each graduate or licentiate, and no further charge shall be made to the applicants. The verification of the diploma shall consist in the affidavit of the holder and applicant that he is the lawful possessor of the same, and that he is the person therein named. Such affidavit may be taken before any person authorized to administer oaths, and the same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates may present their diplomas and affidavits as provided in this act, by letter or by proxy, and the State Board of Health shall issue its certificate the same as though the owner of the diploma was present.

§ 4. All examinations of persons not graduates or licentiates, shall be made directly by the board, and the certificates given by the board shall authorize the possessor to practice medicine and surgery in the State of Illinois.

§ 5. Every person holding a certificate from the State Board of Health shall have it recorded in the office of the clerk of the county in which he resides, and the record shall be endorsed thereon. Any person removing to another county to practice, shall procure an endorsement to that effect on the certificate from the county clerk, and shall record the certificate, in like manner, in the county to which he removes, and the holder of the certificate shall pay to the county clerk the usual fees for making the record.

§ 6. The county clerk shall keep, in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the issue. If the certificate be based on a diploma or license, he shall record the name of the medical institution conferring it, and the date when conferred. The register of the county clerk shall be open to public inspection during business hours.

§ 7. The fees for examinations of non-graduates shall be as follows: Twenty-five (\$25) dollars for an examination in medicine and surgery; ten (\$10) dollars for an examination in midwifery only; and said fees shall be paid into the treasury of the board.

§ 8. Examinations may be in whole or in part in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner.

§ 9. The State Board of Health may refuse certificates to individuals guilty of unprofessional or dishonorable conduct, and they may revoke certificates for like causes. In all cases of refusal or revocation, the applicant may appeal to the body appointing the board.

§ 10. Any person shall be regarded as practicing medicine within the meaning of this act, who shall profess publicly to be a physician, and to prescribe for the sick, or who shall append to his name the letters of "M. D." But nothing in this act shall be construed to prohibit students from prescribing under the supervision of preceptors, or to prohibit gratuitous services in cases of emergency. And this act shall not apply to commissioned surgeons in the United States Army and Navy.

§ 11. Any itinerant vender of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of disease or injury, or who shall, by writing or printing, or any other method, publicly profess to cure or treat diseases, injury or deformity, by any drug, nostrum, manipulation or other expedient, shall pay a license of one hundred dollars a month, to be collected by the State Board of Health.

§ 12. Any person practicing medicine or surgery in this State without complying with the provisions of this act, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days, nor more than three hundred and sixty-five days, or by both such fine and imprisonment, for each and every offense; and any person filing, or attempting to file, as his own, the diploma or certificate of another, or a forged affidavit of identification, shall be guilty of a felony, and upon conviction shall be subject to such fine and imprisonment as are made and provided by the statutes of this State for the crime of forgery, but the penalties shall not be enforced till on and after the thirty-first day of December, eighteen hundred and seventy-seven: *Provided*, that the provisions of this act shall not apply to those that have been practicing medicine ten years within this State prior to the passage of the act to which this is an amendment.

To the Honorable, the President of the Senate:

The Committee on Education, to whom was referred Senate Bill No. 378, being a bill for "An act to amend an act entitled 'An act to regulate the practice of medicine in the State of Illinois,' approved May 29, 1877, in force July 1, 1877, respectfully beg leave to report the same back with amendments thereto, and recommend that it do pass as amended.

GEO. TORRANCE, Chairman.

AMENDMENTS.

Amend the title of said bill by inserting between the words "amend" and "an," in line 1, the following: "Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, and to repeal sections 13, 14, 15, 16 and 17 of."

4. Amended by inserting between the words "that" and "an," in line 3, of section 1, the following:

5. "Sections 1, 3, 5, 7, 9, 10, 11 and 12 of."

6 Amend section 1, by inserting after the word "follows," in line 5, of that section, the follow-
7 ing: "Section 1. Be it enacted by the People of the State of Illinois, represented in the Gen-
8 eral Assembly,"

9 Amend the bill by adding the following section: "Section 13. Sections 13, 14, 15, 16 and
10 17, of an act entitled 'An act to regulate the practice of medicine in the State of Illinois,' ap-
11 proved May 20, 1897, in force July 1, 1897, are hereby repealed."

1. Introduced by Mr. Secrest March 23, 1883, and ordered to first reading.
2. First reading, March 23, 1883, and referred to Committee on Education and Educational Institutions.
3. Reported back April 11, 1883, with amendments, passage recommended and ordered to second reading.
4. Second reading April 25, 1883, amended and ordered to third reading.

A BILL

For An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, and to repeal sections 13, 14, 15, 16 and 17 of an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of an act entitled, "An act to regulate the practice of medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877, be amended, so as to read as follows:

"SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That every person practicing medicine, in any of its departments, shall possess the qualifications required by this act. If a graduate in medicine, he shall present his diploma to the State Board of Health for verification as to its genuineness. If the diploma is found genuine, and if the person named therein be the person claiming and presenting the same, the State Board of Health shall issue its certificate to that effect, signed by all of the members thereof, and such diploma and certificate shall be conclusive as to the right of the lawful holder of the same to practice medicine in this State. If not a graduate, the person practicing medicine in this State shall present himself before said Board, and submit himself to such examinations as the said Board shall require; and, if the examination be satisfactory to the examiners, the said Board shall issue its certificate in accordance with the facts, and the lawful holder of such certificate shall be entitled to all the rights and privileges herein mentioned.

17 "Section 2. The State Board of Health shall organize within three months after the passage
 18 of this act; it shall procure a seal, and shall receive, through its secretary, applications for
 19 certificates and examinations; the president shall have authority to administer oaths, and the
 20 Board to take testimony in all matters relating to its duties; it shall issue certificates to all who
 21 furnish satisfactory proof of having received diplomas or licenses from legally chartered medical
 22 institutions in good standing; it shall prepare two forms of certificates, one for persons in
 23 possession of diplomas or licenses, the other for candidates examined by the Board; it shall
 24 furnish to the county clerks of the several counties a list of all persons receiving certificates. In
 25 selecting places to hold its meetings it shall, as far as is reasonable, accommodate applicants
 26 residing in different sections of the State, and due notice shall be published of all its meetings.
 27 Certificates shall be signed by all the members of the Board.

28 "Section 3. Said State Board of Health shall examine diplomas as to their genuineness, and
 29 if the diploma shall be found genuine as represented, the secretary of the State Board of Health
 30 shall receive a fee of five (5) dollars from such graduate or licentiate, and no further charge shall
 31 be made to the applicants. The verification of the diploma shall consist in the affidavit of the
 32 holder and applicant that he is the lawful possessor of the same, and that he is the person therein
 33 named. Such affidavit may be taken before any person authorized to administer oaths, and the
 34 same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates
 35 may present their diplomas and affidavits, as provided in this act, by letter or by proxy, and the
 36 State Board of Health shall issue its certificate the same as though the owner of the diploma
 37 was present.

38 "Section 4. All examinations of persons not graduates or licentiates, shall be made directly
 39 by the Board, and the certificates given by the Board shall authorize the possessor to practice
 40 medicine and surgery in the State of Illinois.

41 "Section 5. Every person holding a certificate from the State Board of Health shall have it
 42 recorded in the office of the clerk of the county in which he resides, and the record shall be
 43 endorsed thereon. Any person removing to another county to practice, shall procure an
 44 endorsement to that effect on the certificate from the county clerk, and shall record the certificate,
 45 in like manner, in the county to which he removes, and the holder of the certificate shall pay to
 46 the county clerk the usual fees for making the record.

47 "Section 6. The county clerk shall keep, in a book provided for the purpose, a complete list
 48 of the certificates recorded by him, with the date of the issue. If the certificate be based on a
 49 diploma or license, he shall record the name of the medical institution conferring it, and the date

50 when conferred. The register of the county clerk shall be open to public inspection during
51 business hours.

52 "Section 7. The fees for examinations of non-graduates shall be as follows: Twenty-five
53 (25) dollars for an examination in medicine and surgery; ten (10) dollars for an examination in
54 midwifery only; and said fees shall be paid into the treasury of the Board.

55 "Section 8. Examinations may be in whole or in part in writing, and shall be of an elementary
56 and practical character, but sufficiently strict to test the qualifications of the candidate as a
57 practitioner.

58 "Section 9. The State Board of Health may refuse certificates to individuals guilty of
59 unprofessional or dishonorable conduct, and they may revoke certificates for like causes. In all
60 cases of refusal or revocation, the applicant may appeal to the body appointing the Board.

61 "Section 10. Any person shall be regarded as practicing medicine within the meaning of this
62 act, who shall profess publicly to be a physician, and to prescribe for the sick, or who shall append
63 to his name the letters "M. D." But nothing in this act shall be construed to prohibit students
64 from prescribing under the supervision of preceptors, or to prohibit gratuitous services in cases
65 of emergency. And this act shall not apply to commissioned surgeons in the United States
66 Army and Navy.

67 "Section 11. Any itinerant vender of any drug, nostrum, ointment or appliance of any kind,
68 intended for the treatment of disease or injury, or who shall, by writing or printing, or any other
69 method, publicly profess to cure or treat diseases, injury or deformity, by any drug, nostrum,
70 manipulation or other expedient, shall pay a license of one hundred dollars a month, to be
71 collected by the State Board of Health.

72 "Section 12. Any person practicing medicine or surgery in this State without complying with
73 the provisions of this act, shall be punished by a fine of not less than fifty dollars nor more than
74 five hundred dollars, or by imprisonment in the county jail for a period not less than thirty
75 days nor more than three hundred and sixty-five days, or by both such fine and imprisonment, for
76 each and every offense; and any person filing or attempting to file, as his own, the diploma or
77 certificate of another, or a forged affidavit of identification, shall be guilty of a felony, and, upon
78 conviction, shall be subject to such fine and imprisonment as are made and provided by the
79 statutes of this State for the crime of forgery, but the penalties shall not be enforced till on and
80 after the thirty-first day of December, eighteen hundred and seventy-seven: *Provided*, that the
81 provisions of this act shall not apply to those that have been practicing medicine ten years
82 within this State prior to the passage of the act to which this is an amendment."

§ 2. Sections 13, 14, 15, 16 and 17 of an act entitled "An act to regulate the practice of
medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877, are hereby
repealed.

1. Reported to House May 18, 1883.
2. First reading May 26, 1883, and referred to Committee on Judiciary.
3. Reported back passage recommended report concurred in, and ordered to second reading May 29, 1883.

AMENDMENTS.

Amend Senate Bill No. 378 by striking out in the first and second lines of the title, the figures "2," "5," "9," "11," and the sentence and figures "and to repeal sections 13, 14, 15, 16 and 17," and add after the figures "12" the following, "and to repeal section 2."

Amend section 1, second line, by striking out the figures "2," "5," "9," "11."

Amend section 2, first line (page 4), by striking out the words and figures "sections 13, 14, 15, 16, 17," and substitute the following: "Section 2," and by striking out the word "are," in the second line of said sentence, and inserting the word "is."

A BILL

For An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, and to repeal sections 13, 14, 15, 16 and 17 of an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved May 29, 1877, in force July 1, 1877, be amended, so as to read as follows:

"SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That every person practicing medicine, in any of its de-

7 partments, shall possess the qualifications required by this act. If a graduate
 8 in medicine, he shall present his diploma to the State Board of Health for
 9 verification as to its genuineness. If the diploma is found genuine, and if
 10 the person named therein be the person claiming and presenting the same,
 11 the State Board of Health shall issue its certificate to that effect, signed by
 12 all of the members thereof, and such diploma and certificate shall be conclusive
 13 as to the right of the lawful holder of the same to practice medicine in this
 14 State. If not a graduate, the person practicing medicine in this State shall
 15 present himself before said Board, and submit himself to such examinations
 16 as the said Board shall require; and, if the examination be satisfactory to
 17 the examiners, the said Board shall issue its certificate in accordance with
 18 the facts, and the lawful holder of such certificate shall be entitled to all
 19 the rights and privileges herein mentioned.

20 "Section 2. The State Board of Health shall organize within three months
 21 after the passage of this act; it shall procure a seal, and shall receive, through
 22 its secretary, applications for certificates and examinations; the president
 23 shall have authority to administer oaths, and the Board to take testimony in
 24 all matters relating to its duties; it shall issue certificates to all who furnish
 25 satisfactory proof of having received diplomas or licenses from legally char-
 26 tered medical institutions in good standing; it shall prepare two forms of
 27 certificates, one for persons in possession of diplomas or licenses, the other
 28 for candidates examined by the Board; it shall furnish to the county clerks
 29 of the several counties a list of all persons receiving certificates. In selecting
 30 places to hold its meetings it shall, as far as is reasonable, accommodate ap-
 31 plicants residing in different sections of the State, and due notice shall be
 32 published of all its meetings. Certificates shall be signed by all the members
 33 of the Board.

34 "Section 3. Said State Board of Health shall examine diplomas as to their
 35 genuineness, and if the diploma shall be found genuine as represented, the
 36 secretary of the State Board of Health shall receive a fee of five (5) dollars
 37 from such graduate or licentiate, and no further charge shall be made to the
 38 applicants. The verification of the diploma shall consist in the affidavit of

39 the holder and applicant that he is the lawful possessor of the same, and
 40 that he is the person therein named. Such affidavit may be taken before any
 41 person authorized to administer oaths, and the same shall be attested under
 42 the hand and official seal of such officer, if he have a seal. Graduates may
 43 present their diplomas and affidavits, as provided in this act, by letter or by
 44 proxy, and the State Board of Health shall issue its certificate the same as
 45 though the owner of the diploma was present.

46 "Section 4. All examinations of persons not graduates or licentiates, shall
 47 be made directly by the Board, and the certificates given by the Board shall
 48 authorize the possessor to practice medicine and surgery in the State of Illinois.

49 "Section 5. Every person holding a certificate from the State Board of
 50 Health shall have it recorded in the office of the clerk of the county in which
 51 he resides, and the record shall be endorsed thereon. Any person removing
 52 to another county to practice, shall procure an endorsement to that effect on
 53 the certificate from the county clerk, and shall record the certificate, in like
 54 manner, in the county to which he removes, and the holder of the certificate
 55 shall pay to the county clerk the usual fee for making the record.

56 "Section 6. The county clerk shall keep, in a book provided for the purpose,
 57 a complete list of the certificates recorded by him, with the date of the issue.
 58 If the certificate be based on a diploma or license, he shall record the name
 59 of the medical institution conferring it, and the date when conferred. The
 60 register of the county clerk shall be open to public inspection during business
 61 hours.

62 "Section 7. The fees for examinations of non-graduates shall be as follows:
 63 Twenty-five (25) dollars for an examination in medicine and surgery; ten (10)
 64 dollars for an examination in midwifery only; and said fees shall be paid into
 65 the treasury of the Board.

66 "Section 8. Examinations may be in whole or in part in writing, and shall
 67 be of an elementary and practical character, but sufficiently strict to test the
 68 qualifications of the candidate as a practitioner.

69 "Section 9. The State Board of Health may refuse certificates to individuals
 70 guilty of unprofessional or dishonorable conduct, and they may revoke cert-

71 states for like causes. In all cases of refusal or revocation, the applicant may
72 appeal to the body appointing the Board.

73 "Section 10. Any person shall be regarded as practicing medicine within
74 the meaning of this act, who shall profess publicly to be a physician, and to
75 prescribe for the sick, or who shall append to his name the letters "M. D."
76 But nothing in this act shall be construed to prohibit students from prescribing
77 under the supervision of preceptors, or to prohibit gratuitous services in cases
78 of emergency. And this act shall not apply to commissioned surgeons in the
79 United States Army and Navy.

80 "Section 11. Any itinerant vender of any drug, nostrum, ointment or appli-
81 ance of any kind, intended for the treatment of disease or injury, or who
82 shall, by writing or printing or any other method, publicly profess to cure
83 or treat diseases, injury or deformity, by any drug, nostrum, manipulation or
84 other expedient, shall pay a license of one hundred dollars a month, to be
85 collected by the State Board of Health.

86 "Section 12. Any person practicing medicine or surgery in this State with-
87 out complying with the provisions of this act, shall be punished by a fine of
88 not less than fifty dollars, nor more than five hundred dollars, or by im-
89 prisonment in the county jail for a period not less than thirty days nor
90 more than three hundred and sixty-five days, or by both such fine or im-
91 prisonment, for each and every offense; and any person filing or attempting
92 to file, as his own, the diploma or certificate of another, or a forged affidavit
93 of identification, shall be guilty of a felony, and, upon conviction, shall be
94 subject to such fine and imprisonment as are made and provided by the
95 statutes of this State for the crime of forgery, but the penalties shall not be
96 enforced till on and after the thirty-first day of December, eighteen hundred
97 and seventy-seven. *Provided*, that the provisions of this act shall not apply
98 to those that have been practicing medicine ten years within this State prior
99 to the passage of the act to which this is an amendment."

§ 2. Sections 13, 14, 15, 16 and 17 of an act entitled "An act to regulate the
practice of medicine in the State of Illinois," approved May 20, 1877, in force
July 1, 1877, are hereby repealed.

1. Introduced by Mr. Edwards, March 23, 1883, and ordered to first reading.
2. First reading March 23, 1883, and referred to Committee on Miscellaneous.
3. Reported back April 13, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section seven of an act entitled "An act to regulate the practice of pharmacy in the State of Illinois," approved May 30, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section seven of an act entitled "An act to regulate the practice of pharmacy
3 in the State of Illinois," approved May 30, 1881, in force July 1, 1881, be amended so as to read
4 as follows:

5 "Section 7. No person shall hereafter be registered as a pharmacist in this State, except upon
6 passing a satisfactory examination before the State Board of Pharmacy. And no person shall
7 be entitled to examination before said Board of Pharmacy until he shall have presented satisfac-
8 tory evidence to said board that he is a graduate in pharmacy, or a physician authorized to
9 practice medicine under the laws of this State, or has had two years practical experience in a
10 drug store where the prescriptions of practical physicians were during such period compounded."

1. Introduced by Mr. Whiting, March 26, 1883, and ordered to first reading.
2. First reading March 26, 1883, and referred to Committee on Canals and Rivers.
3. Reported back April 13, 1883, with amendment, passage recommended, and ordered to second reading.

AMENDMENT ADOPTED BY COMMITTEE ON CANALS AND RIVERS TO
SENATE BILL 380.

1. Amend second preamble by adding the following: "And to obtain information useful
- 2 in the enacting of proper laws to enable local interests to make and to maintain these improve-
- 3 ments."

A BILL

For An Act to appropriate five thousand dollars to survey the Kaskaskia river.

WHEREAS, it is believed that a large amount of land may be reclaimed or greatly benefited for
2 agricultural and sanitary purposes, by straightening and clearing the channels of some of the in-
3 land rivers and streams of our State, the cost of which to be borne by special assessments on the
4 lands benefited; and,

5 WHEREAS, a survey is necessary to determine the practicability, cost and benefits of such
6 work; and,

7 WHEREAS, the magnitude and cost of such survey and examination as the case demands may
8 long delay individual and local action to this end; therefore,

[SECTION 1.] *Be it enacted by the People of the State of Illinois, represented in the General*
2 *Assembly:* That the Canal Commissioners are hereby authorized and directed to employ a com-
3 potent engineer, with proper assistants, to proceed soon as practicable to survey the Kaskaskia
4 river from its mouth to its source, and make plans and estimates of the cost for so straightening
5 and clearing the channel, to secure better drainage to the adjacent lands for agricultural and
6 sanitary purposes.

§ 2. The examination shall extend to the branches of said river, and throughout the whole valley to the watershed of this river system, so as to determine, near as may be, the amount of lands to be benefited, and the cost of the proposed improvements. When the examination and survey hereby provided for shall be completed, the engineer in charge shall make a report of the same, accompanied by a map exhibiting the topography of the country examined, and the proposed improvements, and also showing the lands to be benefited.

§ 3. There is hereby appropriated the sum of five thousand dollars, or so much thereof as may be needed, to execute this act, to be paid out of any money in the treasury not otherwise appropriated; and the Auditor is hereby authorized to draw his warrant on the Treasurer for such sum, or any part thereof as may be required, upon the order of the Canal Commissioners, approved by the Governor.

1. Introduced by Mr. Gillham March 27, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend sections seventeen (17), twenty-six (26), forty-two (42), forty-three (43), forty-six (46) and forty-nine (49), of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mineral purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, and to add to said act two additional sections, known as sections seventeen and one-half (17½) and forty-four and one-half (44½).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seventeen (17), of an act entitled "An act to
3 provide for the construction, reparation and protection of drains, ditches and
4 levees across the lands of others, for agricultural, sanitary and mining pur-
5 poses, and to provide for the organization of drainage districts," approved
6 and in force May 29, 1879, be, and the same is hereby amended, so as to read
7 as follows:

8 "Section 17. The jurors empaneled as aforesaid shall elect one of their
9 number foreman when the proceeding is for the construction of ditches,
10 drains or levees, and shall proceed to examine the lands to be affected by the
11 proposed work and ascertain to the best of their ability and judgment, the
12 damages and benefits which will be sustained by, or will accrue to the lands
13 to be affected by said proposed work, and shall make out an assessment roll

14 in which shall be set down, in proper columns, the names of owners, when
 15 known, a description of the premises affected, in words or figures, or both,
 16 as shall be most convenient, the number of acres in each tract, and if dam-
 17 ages are allowed, the amount of the same; and if benefits are assessed, the
 18 amount of the same; and in case damages are allowed to, and benefits as-
 19 sessed against the same tract of land, the balance, if any, shall be carried
 20 forward to a separate column for damages or benefits, as the case may be.
 21 But the amount assessed for keeping said levee or ditch in repair, shall not
 22 in the aggregate amount to a sum in any one year, greater than would be
 23 produced by thirty cents per acre on all the lands within said district. In
 24 case the petition shall set out that a levee or ditch, has been made under
 25 any law of this State and prays for an assessment to repair and keep in re-
 26 pair said levee or ditch, the jury shall assess the benefits which said lands
 27 will sustain by repairing said levee or ditches, and also the annual amount
 28 of benefits which said lands will sustain by keeping said levee or ditch in
 29 repair thereafter; and in such case no other or different assessment shall be
 30 made by the jury, but in all other respects the jury shall comply with the
 31 provisions of this act, so far as the same may be applicable thereto: *Provided*
 32 that in all cases where the amount of benefits assessed; and the assessment
 33 of benefits to repair said levees or ditches heretofore constructed under any
 34 law of this State are insufficient to complete the ditches, drains or levees,
 35 embraced in the proceedings that the "annual amount of benefits" assessed by
 36 the jury to keep said levee or ditch in repair after making all necessary
 37 repairs for any year, may be applied to complete the ditches, drains or levees,
 38 embraced in the proceedings, and to raising, strengthening and protecting
 39 said ditches, drains or levees when completed, and in constructing addi-
 40 tional ditches, drains or levees, when required to protect the lands em-
 41 braced in the drainage and levee districts organized under this act from
 42 inundation and overflow, and in paying interest on any notes or bonds
 43 issued under this act.

§ 2. That section 26, of the act aforesaid, to which this act is an amend-
 2 ment, be, and the same is hereby so amended, as to read as follows:

3 "Section 26. At the time of confirming such assessment it shall be compe
 4 tent for the court to order the assessment of benefits to be paid in install-
 5 ments of such amounts, and at such times as will be convenient for the
 6 accomplishment of the proposed work; otherwise the whole amount of
 7 such assessment shall be payable immediately upon such confirmation, and
 8 shall be a lien upon the lands assessed until paid. But in case where a levee
 9 or ditch has been heretofore built under any law of this State, or may
 10 hereafter be built under the provisions of this act, the annual amount of
 11 benefits for keeping the same in repair shall be due and payable on the 1st
 12 day of September, annually, and shall be a lien on the lands upon which
 13 said assessments are made from and after the confirmation of the report.
 14 The court in which such proceedings are had shall require from said com-
 15 missioners a report of the condition of the levee or ditch, at its July term of
 16 each year, together with their estimate of the amount necessary to keep the
 17 levee or ditch in repair, pay all incidental and necessary expenses for the
 18 ensuing year, and the amount necessary to complete the ditches, drains or
 19 levees embraced in the proceedings, and to raise, strengthen or protect said
 20 ditches, drains or levees when completed, and in constructing additional
 21 ditches, drains or levees when required to protect the lands embraced in the
 22 drainage and levee districts organized under this act, from inundation and
 23 overflow; and if the court shall find that a less amount will be required for
 24 such ensuing year than the whole amount of the assessment for that year,
 25 then the court shall by an order fix the amount to be paid for such year, and
 26 only that amount shall be collected, and the excess of such assessment over
 27 and above the amount so fixed by said order for said year, shall be remitted
 28 by law and shall not thereafter be collected: *Provided*, that the amount to be
 29 collected under the order of said court, shall not in the aggregate amount in
 30 any one year to a sum greater than would be produced by a levy of thirty
 31 cents per acre on all the lands within said district: *Provided, further*, that
 32 in all cases where the ditches, drains or levees constructed or repaired under
 33 this act are in danger of being impaired, injured, broken or destroyed by
 34 overflow or otherwise, and a part of the annual amount of benefits for pro-
 35 tection and keeping the same in repair for the year in which said ditches

drains or levees are so threatened has been remitted by order of court as herein provided, or when the annual amount of benefits for protecting and keeping the same in repair for any year is insufficient, the commissioners of drainage and levee districts organized under this act may borrow money on the annual amount of benefits becoming due the 1st day of September, following the time when said ditches, drains or levees are so threatened, to the extent of two thirds of said annual amount of benefits, and may secure the same by notes or bonds of the drainage and levee districts, bearing interest at the rate of six per cent. per annum, and not running beyond one year from the date of issue, which notes or bonds shall not be held to make the commissioners personally liable for the money borrowed, but shall constitute a lien upon the annual amount of benefits falling due thereafter for the repayment of the principal and interest thereof: *Provided* that the report of the commissioners as to the condition of the levee or ditch, and their estimate of the amount necessary to keep the levee or ditch in repair, pay all incidental and necessary expenses for the ensuing year and the amount necessary to complete the ditches, drains or levees embraced in the proceedings and to raise, strengthen or protect said ditches, drains or levees when completed, and in constructing additional ditches, drains or levees when required to protect the lands embraced in the drainage districts, when the proceeding is before a justice of the peace, shall be made on the first Monday in July, in each year.

§ 3. That section forty-two (42), of the act aforesaid, to which this act is an amendment, be, and the same is hereby so amended, as to read as follows:

"Section 42. The commissioners shall receive for their services the sum of two dollars per day and their necessary traveling expenses, for each day they shall be actually engaged in the business of their appointment. The commissioners shall present an itemized account, under oath, to the county court or justice of the peace, when the proceeding is before a justice of the peace, of the amounts due them respectively, which amounts shall be audited at least once a year by said county court or justice of the peace, and certified to by said court or justice of the peace to their treasurer, to be paid by him on said certificate. The commissioners shall fix the com.

12 pension of said treasurer, collector and of all other servants and agents,
 13 and the clerk of the county court and justice of the peace shall receive for
 14 their services, hereunder, such fees as are by law allowed for similar services
 15 in said county court and before justices of the peace: *Provided*, that when
 16 the proceedings are before the justice of the peace the commissioners shall
 17 make all reports required of them by law to the justice of the peace before
 18 whom the drainage and levee district was organized, or his successor in
 19 office, when not otherwise specifically provided for."

§ 4. That section forty-three (43), of the act aforesaid, to which this act
 2 is an amendment, be and the same is hereby so amended as to read as
 3 follows:

4 "Section 43. Whenever a petition shall be presented to said court by the
 5 owner of any tract of land within said district, setting forth that the same,
 6 or any part thereof, has been erroneously assessed for benefits, for the
 7 reason that the same is not subject to overflow, or has never been overflowed
 8 by the highest waters known, and praying that the said lands in whole or
 9 in part may be released from the assessment made or to be made in future
 10 the court may, after ten days' notice of the filing of such petition being
 11 given to the commissioners, at any term of said court, proceed to hear said
 12 application, granting such continuances as may be right and proper, and if the
 13 court shall find, upon issue joined, that any part of the land named in said
 14 petition has never been overflowed by the highest water known from the stream
 15 against which the levee in question has been constructed, may, by order to
 16 be entered of record, unless it appears to the court that the assessment on the
 17 whole tract is no more than the proportion that the land subject to overflow
 18 in said tract is benefited, and should pay toward constructing and maintain-
 19 ing the levee, or that the assessment on the tract is no more than the proportion
 20 of sanitary benefits received by the whole tract, and no more than the whole
 21 tract should pay for sanitary benefits toward constructing and maintaining
 22 the levee, amend the assessment roll returned by the jury in conformity to
 23 the facts found, and such part shall thereafter be discharged from all other
 24 assessments, and the clerk shall immediately cause a copy of such order to be

25 delivered to the commissioners that the copy of the assessment roll in their
 26 hands may be made to conform to such order: *Provided*, that said petition
 27 shall be filed within one year after the confirmation of the assessment, and
 28 not thereafter."

§ 5. That section forty-six (46), of the act aforesaid, to which this act is
 2 an amendment, be and the same is hereby so amended, as to read as fol-
 3 lows:

4 "Section 46. When the cost of any proposed drain, ditch, levee, or other
 5 work authorized by this act to be done, will not exceed the sum of six thou-
 6 sand dollars, the petition may, if the petitioners shall so elect, be filed
 7 with a justice of the peace in the county where the land to be affected or
 8 the major part thereof is situated; and all the proceedings authorized by
 9 this act to be had in the county court, in cases where the petition is filed
 10 in such court, may be had before such justice of the peace, the justice of
 11 peace performing all the services and duties required of the clerk of the
 12 county court by this act in proceedings commenced in that court; and the
 13 assessment of damages and benefits shall be conducted before such justice
 14 in the same manner, as near as may be, as cases commenced by petition be-
 15 fore such county court. In proceedings before a justice of the peace under
 16 this act, the petition, report of commissioner or commissioners, assessment
 17 roll and all other papers may be filed and a hearing had thereon at any
 18 time, notice having first been given for the length of time and in the man-
 19 ner required by this act; and appeals may be taken from the final judgment
 20 of the justice of the peace to the county court within the same time and
 21 in the same manner as appeals may be taken from the findings of the jury
 22 in cases commenced in the county court, and the assessment of benefits may
 23 be collected and enforced as in such cases before the county court"

§ 6. That section forty-nine (49), of the act aforesaid, to which this act
 2 an amendment, be and the same is hereby amended, so as to read as fol-
 3 lows:

4 "Section 49. When a ditch or drain has been located under the provisions
 5 of this act, of sufficient capacity to carry off the water that flows to it, and

12 pensionation of said treasurer, collector and of all other servants and agents,
 13 and the clerk of the county court and justice of the peace shall receive for
 14 their services, hereunder, such fees as are by law allowed for similar services
 15 in said county court and before justices of the peace: *Provided*, that when
 16 the proceedings are before the justice of the peace the commissioners shall
 17 make all reports required of them by law to the justice of the peace before
 18 whom the drainage and levee district was organized, or his successor in
 19 office, when not otherwise specifically provided for."

§ 4. That section forty-three (43), of the act aforesaid, to which this act
 2 is an amendment, be and the same is hereby so amended as to read as
 3 follows:

4 "Section 43. Whenever a petition shall be presented to said court by the
 5 owner of any tract of land within said district, setting forth that the same,
 6 or any part thereof, has been erroneously assessed for benefits, for the
 7 reason that the same is not subject to overflow, or has never been overflowed
 8 by the highest waters known, and praying that the said lands in whole or
 9 in part may be released from the assessment made or to be made in future
 10 the court may, after ten days' notice of the filing of such petition being
 11 given to the commissioners, at any term of said court, proceed to hear said
 12 application, granting such continuances as may be right and proper, and if the
 13 court shall find, upon issue joined, that any part of the land named in said
 14 petition has never been overflowed by the highest water known from the stream
 15 against which the levee in question has been constructed, may, by order to
 16 be entered of record, unless it appears to the court that the assessment on the
 17 whole tract is no more than the proportion that the land subject to overflow
 18 in said tract is benefited, and should pay toward constructing and maintain-
 19 ing the levee, or that the assessment on the tract is no more than the proportion
 20 of sanitary benefits received by the whole tract, and no more than the whole
 21 tract should pay for sanitary benefits toward constructing and maintaining
 22 the levee, amend the assessment roll returned by the jury in conformity to
 23 the facts found, and such part shall thereafter be discharged from all other
 24 assessments, and the clerk shall immediately cause a copy of such order to be

25 delivered to the commissioners that the copy of the assessment roll in their
26 hands may be made to conform to such order: *Provided*, that said petition
27 shall be filed within one year after the confirmation of the assessment, and
28 not thereafter."

§ 5. That section forty-six (46), of the act aforesaid, to which this act is
2 an amendment, be and the same is hereby so amended, as to read as fol-
3 lows:

4 "Section 46. When the cost of any proposed drain, ditch, levee, or other
5 work authorized by this act to be done, will not exceed the sum of six thou-
6 sand dollars, the petition may, if the petitioners shall so elect, be filed
7 with a justice of the peace in the county where the land to be affected or
8 the major part thereof is situated; and all the proceedings authorized by
9 this act to be had in the county court, in cases where the petition is filed
10 in such court, may be had before such justice of the peace, the justice of
11 peace performing all the services and duties required of the clerk of the
12 county court by this act in proceedings commenced in that court; and the
13 assessment of damages and benefits shall be conducted before such justice
14 in the same manner, as near as may be, as cases commenced by petition be-
15 fore such county court. In proceedings before a justice of the peace under
16 this act, the petition, report of commissioner or commissioners, assessment
17 roll and all other papers may be filed and a hearing had thereon at any
18 time, notice having first been given for the length of time and in the man-
19 ner required by this act; and appeals may be taken from the final judgment
20 of the justice of the peace to the county court within the same time and
21 in the same manner as appeals may be taken from the findings of the jury
22 in cases commenced in the county court, and the assessment of benefits may
23 be collected and enforced as in such cases before the county court."

§ 6. That section forty-nine (49), of the act aforesaid, to which this act
2 an amendment, be and the same is hereby amended, so as to read as fol-
3 lows:

4 "Section 49. When a ditch or drain has been located under the provisions
5 of this act, of sufficient capacity to carry off the water that flows to it, and

6 also to properly drain the land taxed for the construction of the same, such
7 lands shall not be again taxed or assessed for the benefit of improving any
8 lands lying above the lands taxed for the construction thereof; and in all
9 cases where any such ditch empties into any lower ditch above described,
10 for the benefit of lands lying above the lower ditch, the commissioners,
11 under the direction of the court, shall levy a sufficient tax on such land
12 benefited by the new ditch to enlarge such lower ditch, so as to confine the
13 water to the same level that it originally had before an additional amount
14 of water emptied into such lower ditch, for the benefit of lands lying above
15 the lower ditch. Whenever it shall appear to the jury that a drain, ditch,
16 levee or other work has been in whole or in part constructed by voluntary
17 effort of the owners thereof, for the purpose of draining or protecting any
18 land to be affected by the work proposed under this act, and said work
19 shall be found to be of benefit to such lands, and that any of the lands to be
20 benefited by the said work have borne any part of the expense of such
21 work so voluntarily done, the jury may allow the owners of such land, and
22 deduct from the assessment which they may make against the same, the amount
23 of the expenses of such work so borne by such lands, or such part thereof,
24 as will make an equality of burdens and benefits as between the several
25 owners of lands benefited. When a ditch, drain or levee established or re-
26 paired under this act, drains or levees, either in whole or in part, any pub-
27 lic or corporate road or railroad so as to benefit any of such roads, so that
28 the road bed or traveled track of such road will be improved by the con-
29 struction of said ditch, drain or levee, the commissioners shall apportion to
30 the county, State, or free turnpike road, to the township if a township road,
31 to the company if a corporate road or railroad, such portions of the cost
32 and expenses thereof as to private individuals, and require them to pay such
33 cost and perform such labor in like manner as individuals; and in case there
34 is a disagreement between the commissioners and the corporate authority of
35 the county, State, or free turnpike road or railroad as to the amount that
36 they should contribute, then the commissioners shall refer the matter to the
37 jury impaneled to assess damages and benefits, when they meet to correct

38 their assessment of damages and benefits, and the jury shall then proceed to
 39 assess the damages and benefits in like manner as the lands of individuals,
 40 and no other or different notice shall be given than that required in sec-
 41 tion 19, of this act: *Provided*, that when the commissioners and the
 42 corporate authorities of the county, State, or free turnpike road, township
 43 road, corporate road, or railroad, or any of them, agree as to the amount
 44 that they or any of them should contribute, that the amount so agreed on
 45 shall be reported to the said jury when they meet to correct their assess-
 46 ment roll, and the amounts so agreed on shall be incorporated in said as-
 47 sessment roll when amended by said jury."

§ 7. That said act to which this act is an amendment be and the same
 2 is hereby amended by adding to the said act to which this act is an amend-
 3 ment, two other sections, to be numbered sections seventeen and one-half
 4 (17½), and forty-four and one-half (44½), as follows:

5 "Section 17½. Jurors summoned or empaneled to assess damages and
 6 benefits under this act, shall receive the same compensation as petit jurors
 7 in courts of record, which shall be taxed as a part of the costs of the pro-
 8 ceedings, and paid out of the assessments when collected by the commis-
 9 sioners, in the same manner as other costs and expenses."

10 "Section 44½. Drainage and levee districts heretofore organized under this
 11 act, and drainage and levee districts hereafter organized under said act,
 12 when it shall become necessary to construct additional drains, ditches or
 13 levees in order to protect the lands embraced in said drainage and levee
 14 districts from inundation or overflow, or repair, enlarge, raise, strengthen
 15 or protect drains, ditches or levees already constructed or in process of
 16 construction, may, by their agents and employees, enter upon and take pos-
 17 session of such lands as may be necessary to construct such additional
 18 drains, ditches or levees, or repair, enlarge, raise, strengthen or protect
 19 drains, ditches or levees already constructed or in process of construction,
 20 paying, if the owner of such lands and the commissioners of said drainage
 21 and levee districts can agree, the value of such lands taken and the amount
 22 of damages occasioned thereby to any such lands or its appurtenances, and

23 if such owners and commissioners of said drainage and levee districts can
24 not agree, then the value of such land and the damages occasioned thereto,
25 may be ascertained, determined and paid in the manner that may now or
26 hereafter be provided by any law of eminent domain. And the commis-
27 sioners of said drainage and levee districts, when necessary to protect the
28 drains, ditches or levees thereof, may put in such works in and along rivers,
29 creeks or lakes as will protect the banks of the same from caving, and they
30 may go beyond the bounds of the said district for that purpose."



1. Introduced by Mr. Gillman, March 27, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.
4. Second reading April 25, 1883, amended and ordered to third reading.

A BILL

For An Act to amend sections seventeen (17), twenty-six (26), forty-two (42), forty-three (43), forty-six (46) and forty-nine (49), of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mineral purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, and to add to said act two additional sections, known as sections seventeen and one-half (17½) and forty-four and one-half (44½).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seventeen (17), of an act entitled "An act to
3 provide for the construction, reparation and protection of drains, ditches and
4 levees across the lands of others, for agricultural, sanitary and mining pur-
5 poses, and to provide for the organization of drainage districts," approved
6 and in force May 29, 1879, be, and the same is hereby amended, so as to read
7 as follows:

8 "Section 17. The jurors empaneled as aforesaid shall elect one of their
9 number foreman when the proceeding is for the construction of ditches,
10 drains or levees, and shall proceed to examine the lands to be affected by the
11 proposed work and ascertain to the best of their ability and judgment, the
12 damages and benefits which will be sustained by, or will accrue to the lands
13 to be affected by said proposed work, and shall make out an assessment roll

14 in which shall be set down, in proper columns, the names of owners, when
 15 known, a description of the premises affected, in words or figures, or both,
 16 as shall be most convenient, the number of acres in each tract, and if dam-
 17 ages are allowed, the amount of the same; and if benefits are assessed, the
 18 amount of the same; and in case damages are allowed to, and benefits as-
 19 sessed against the same tract of land, the balance, if any, shall be carried
 20 forward to a separate column for damages or benefits, as the case may be.
 21 But the amount assessed for keeping said levee or ditch in repair, shall not
 22 in the aggregate amount to a sum in any one year, greater than would be
 23 produced by thirty cents per acre on all the lands within said district. In
 24 case the petition shall set out that a levee or ditch, has been made under
 25 any law of this State and pray for an assessment to repair and keep in re-
 26 pair said levee or ditch, the jury shall assess the benefits which said lands
 27 will sustain by repairing said levee or ditch, and also the annual amount
 28 of benefits which said lands will sustain by keeping said levee or ditch in
 29 repair thereafter; and in such case no other or different assessment shall be
 30 made by the jury, but in all other respects the jury shall comply with the
 31 provisions of this act, so far as the same may be applicable thereto: *Provided,*
 32 that in all cases where the amount of benefits assessed; and the assessment
 33 of benefits to repair said levees or ditches heretofore constructed under any
 34 law of this State are insufficient to complete the ditches, drains or levees,
 35 embraced in the proceedings that the "annual amount of benefits" assessed by
 36 the jury to keep said levee or ditch in repair after making all necessary
 37 repairs for any year, may be applied to complete the ditches, drains or levees,
 38 embraced in the proceedings, and to raising, strengthening and protecting
 39 said ditches, drains or levees when completed, and in constructing addi-
 40 tional ditches, drains or levees, when required to protect the lands embraced
 41 in the drainage and levee districts organized under this act from inundation
 42 and overflow, and in paying interest on any notes or bonds issued under
 43 this act.

§ 2. That section 26, of the act aforesaid, to which this act is an amend-
 2 ment, be, and the same is hereby so amended, as to read as follows:

3 "Section 26. At the time of confirming such assessment it shall be compe-
4 tent for the court to order the assessment of benefits to be paid in install-
5 ments of such amounts, and at such times as will be convenient for the
6 accomplishment of the proposed work; otherwise the whole amount of such
7 assessment shall be payable immediately upon such confirmation, and shall
8 be a lien upon the lands assessed until paid. But in case where a levee or
9 ditch has been heretofore built under any law of this State, for may here-
10 after be built under the provisions of this act, the annual amount of benefits
11 for keeping the same in repair shall be due and payable on the 1st day of
12 September, annually, and shall be a lien on the lands upon which said
13 assessments are made from and after the confirmation of the report. The
14 court in which such proceedings are had shall require from said commis-
15 sioners a report of the condition of the levee or ditch, at its July term of
16 each year, together with their estimate of the amount necessary to keep the
17 levee or ditch in repair, pay all incidental and necessary expenses for the
18 ensuing year, and the amount necessary to complete the ditches, drains or
19 levees embraced in the proceedings, and to raise, strengthen or protect said
20 ditches, drains or levees when completed, and in constructing additional
21 ditches, drains or levees when required to protect the lands embraced in the
22 drainage and levee districts organized under this act, from inundation and
23 overflow; and if the court shall find that a less amount will be required for
24 such ensuing year than the whole amount of the assessment for that year,
25 then the court shall by an order fix the amount to be paid for such year,
26 and only that amount shall be collected, and the excess of such assessment
27 over and above the amount so fixed by said order for said year, shall be
28 remitted by law and shall not thereafter be collected: *Provided*, that the
29 amount to be collected under the order of said court, shall not in the aggre-
30 gate amount in any one year to a sum greater than would be produced by
31 a levy of thirty cents per acre on all the lands within said district: *Provided*,
32 *further*, that in all cases where the ditches, drains or levees constructed or
33 repaired under this act are in danger of being impaired, injured, broken or
34 destroyed by overflow or otherwise, and a part of the annual amount of

benefits for protection and keeping the same in repair for the year in which said ditches, drains or levees are so threatened has been remitted by order of court as herein provided, or when the annual amount of benefits for protecting and keeping the same in repair for any year is insufficient, the commissioners of drainage and levee districts organized under this act may borrow money on the annual amount of benefits becoming due the 1st day of September, following the time when said ditches, drains or levees are so threatened, to the extent of two-thirds of said annual amount of benefits, and may secure the same by notes or bonds of the drainage and levee districts, bearing interest at the rate of six per cent. per annum, and not running beyond one year from the date of issue, which notes or bonds shall not be held to make the commissioners personally liable for the money borrowed, but shall constitute a lien upon the annual amount of benefits falling due thereafter for the repayment of the principal and interest thereof: *Provided*, that the report of the commissioners as to the condition of the levee or ditch, and their estimate of the amount necessary to keep the levee or ditch in repair, pay all incidental and necessary expenses for the ensuing year and the amount necessary to complete the ditches, drains or levees embraced in the proceedings, and to raise, strengthen or protect said ditches, drains or levees when completed, and in constructing additional ditches, drains or levees when required to protect the lands embraced in the drainage districts, when the proceeding is before a justice of the peace, shall be made on the first Monday in July, in each year.

§ 3. That section forty-two (42), of the act aforesaid, to which this act is an amendment, be, and the same is hereby so amended, as to read as follows:

"Section 42. The commissioners shall receive for their services the sum of two dollars per day and their necessary traveling expenses, for each day they shall be actually engaged in the business of their appointment. The commissioners shall present an itemized account, under oath, to the county court or justice of the peace, when the proceeding is before a justice of the peace, of the amounts due them respectively, which amounts shall be audited at least once a year by said county court or justice of the peace,

10 and certified to by said court or justice of the peace to their treasurer, to
 11 be paid by him on said certificate. The commissioners shall fix the com-
 12 pensation of said treasurer, collector and of all other servants and agents,
 13 and the clerk of the county court and justice of the peace shall receive for
 14 their services, hereunder, such fees as are by law allowed for similar services
 15 in said county court and before justices of the peace: *Provided*, that when
 16 the proceedings are before the justice of the peace the commissioners shall
 17 make all reports required of them by law to the justice of the peace before
 18 whom the drainage and levee district was organized, or his successor in
 19 office, when not otherwise specifically provided for."

§ 4. That section forty-three (43), of the act aforesaid, to which this act
 2 is an amendment, be and the same is hereby so amended, as to read as
 3 follows:

4 "Section 43. Whenever a petition shall be presented to said court by the
 5 owner of any tract of land within said district, setting forth that the same
 6 or any part thereof, has been erroneously assessed for benefits, for the
 7 reason that the same is not subject to overflow, or has never been overflowed
 8 by the highest waters known, and praying that the said lands in whole or
 9 in part may be released from the assessment made or to be made in future
 10 the court may, after ten days' notice of the filing of such petition being
 11 given to the commissioners, at any term of said court, proceed to hear said
 12 application, granting such continuances as may be right and proper, and if the
 13 court shall find, upon issue joined, that any part of the land named in said
 14 petition has never been overflowed by the highest water known from the stream,
 15 against which the levee in question has been constructed, may, by order to
 16 be entered of record, unless it appears to the court that the assessment on the
 17 whole tract is no more than the proportion that the land subject to overflow
 18 in said tract is benefited, and should pay toward constructing and maintain-
 19 ing the levee, or that the assessment on the tract is no more than the proportion
 20 of sanitary benefits received by the whole tract, and no more than the whole
 21 tract should pay for sanitary benefits toward constructing and maintaining
 22 the levee, amend the assessment roll returned by the jury in conformity to

23 the facts found, and such part shall thereafter be discharged from all other
 24 assessments, and the clerk shall immediately cause a copy of such order to be
 25 delivered to the commissioners that the copy of the assessment roll in their
 26 hands may be made to conform to such order: *Provided*, that said petition
 27 shall be filed within one year after the confirmation of the assessment, and
 28 not thereafter."

§ 5. That section forty-six (46), of the act aforesaid, to which this act is
 2 an amendment, be and the same is hereby so amended, as to read as fol-
 3 lows:

4 "Section 46. When the cost of any proposed drain, ditch, levee, or other
 5 work authorized by this act to be done, will not exceed the sum of six thou-
 6 sand dollars, the petition may, if the petitioners shall so elect, be filed
 7 with a justice of the peace in the county where the land to be affected or
 8 the major part thereof is situated; and all the proceedings authorized by
 9 this act to be had in the county court, in cases where the petition is filed
 10 in such court, may be had before such justice of the peace, the justice of
 11 peace performing all the services and duties required of the clerk of the
 12 county court by this act in proceedings commenced in that court; and the
 13 assessment of damages and benefit shall be conducted before such justice
 14 in the same manner, as near as may be, as cases commenced by petition be-
 15 fore such county court. In proceedings before a justice of the peace under
 16 this act, the petition, report of commissioner or commissioners, assessment
 17 roll and all other papers may be filed and a hearing had thereon at any
 18 time, notice having first been given for the length of time and in the man-
 19 ner required by this act; and appeals may be taken from the final judgment
 20 of the justice of the peace to the county court within the same time and
 21 in the same manner as appeals may be taken from the findings of the jury
 22 in cases commenced in the county court, and the assessment of benefits may
 23 be collected and enforced as in such cases before the county court."

§ 6. That section forty-nine (49), of the act aforesaid, to which this act is
 2 an amendment, be and the same is hereby amended, so as to read as fol-
 3 lows:

4 "Section 49. When a ditch or drain has been located under the provisions
5 of this act, of sufficient capacity to carry off the water that flows to it, and
6 also to properly drain the land taxed for the construction of the same, such
7 lands shall not be again taxed or assessed for the benefit of improving any
8 lands lying above the lands taxed for the construction thereof; and in all
9 cases where any such ditch empties into any lower ditch above described,
10 for the benefit of lands lying above the lower ditch, the commissioners
11 under the direction of the court, shall levy a sufficient tax on such land
12 benefited by the new ditch to enlarge such lower ditch, so as to confine the
13 water to the same level that it originally had before an additional amount
14 of water emptied into such lower ditch, for the benefit of lands lying above
15 the lower ditch. Whenever it shall appear to the jury that a drain, ditch,
16 levee or other work has been in whole or in part constructed by voluntary
17 effort of the owners thereof, for the purpose of draining or protecting any
18 land to be affected by the work proposed under this act, and said work
19 shall be found to be of benefit to such lands, and that any of the lands to be
20 benefited by the said work have borne any part of the expense of such
21 work so voluntarily done, the jury may allow the owners of such land, and
22 deduct from the assessment which they may make against the same, the amount
23 of the expenses of such work so borne by such lands, or such part thereof,
24 as will make an equality of burdens and benefits as between the several
25 owners of lands benefited. When a ditch, drain or levee established or re-
26 paired under this act, drains or levees, either in whole or in part, any pub-
27 lic or corporate road or railroad so as to benefit any of such roads, so that
28 the road bed or traveled track of such road will be improved by the con-
29 struction of said ditch, drain or levee, the commissioners shall apportion to
30 the county, State, or free turnpike road, to the township if a township road,
31 to the company if a corporate road or railroad, such portions of the cost
32 and expenses thereof as to private individuals, and require them to pay such
33 cost and perform such labor in like manner as individuals; and in case there
34 is a disagreement between the commissioners and the corporate authority of

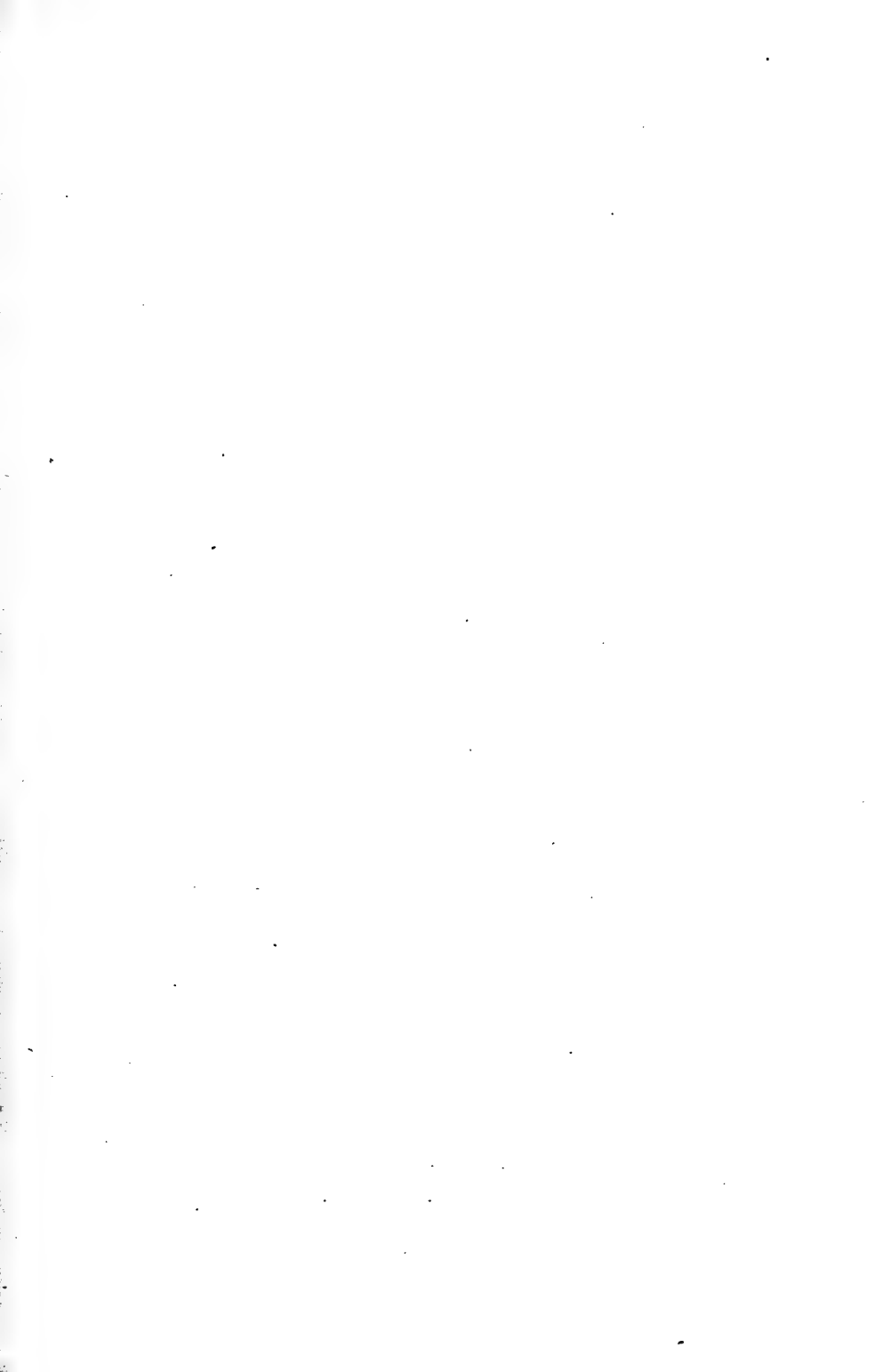
the county, State or free turnpike road or railroad as to the amount that they should contribute, then the commissioners shall refer the matter to the jury impaneled to assess damages and benefits, when they meet to correct their assessment of damages and benefits, and the jury shall then proceed to assess the damages and benefits in like manner as the lands of individuals, and no other or different notice shall be given than that required in section 19, of this act: *Provided*, that when the commissioners and the corporate authorities of the county, State or free turnpike road, township road, corporate road or railroad, or any of them, agree as to the amount that they or any of them should contribute, that the amount so agreed on shall be reported to the said jury when they meet to correct their assessment roll, and the amounts so agreed on shall be incorporated in said assessment roll when amended by said jury."

§ 7. That said act to which this act is an amendment be and the same is hereby amended by adding to the said act to which this act is an amendment, two other sections, to be numbered sections seventeen and one-half (17½) and forty four and one half (44½), as follows:

"Section 17½. Jurors summoned or empaneled to assess damages and benefits under this act, shall receive the same compensation as petit jurors in courts of record, which shall be taxed as a part of the costs of the proceedings, and paid out of the assessments when collected by the commissioners, in the same manner as other costs and expenses."

"Section 44½. Drainage and levee districts heretofore organized under this act, and drainage and levee districts hereafter organized under said act, when it shall become necessary to construct additional drains, ditches or levees in order to protect the lands embraced in said drainage and levee districts from inundation and overflow, or repair, enlarge, raise, strengthen or protect drains, ditches or levees already constructed or in process of construction, may, by their agents and employees, enter upon and take possession of such lands as may be necessary to construct such additional drains, ditches or levees, or repair, enlarge, raise, strengthen or protect drains, ditches or levees already constructed or in process of construction, paying, if the owner of such lands and the

20 commissioners of said drainage and levee districts can agree, the value of such
21 lands taken and the amount of damages occasioned thereby to any such lands
22 or its appurtenances, and if such owners and commissioners of said drainage
23 and levee districts cannot agree, then the value of such land and the damages
24 occasioned thereto, may be ascertained, determined and paid in the manner
25 that may now or hereafter be provided by any law of eminent domain. And
26 the commissioners of said drainage and levee districts, when necessary to pro-
27 tect the drains, ditches or levees thereof, may put in such works in and along
28 rivers, creeks or lakes as will protect the banks of the same from caving, and
29 they may go beyond the bounds of the said district for that purpose."



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1. Reported to House May 23, 1883.
 2. First reading June 8, 1883, and ordered to second reading.
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A BILL

For An Act to amend sections seventeen (17), twenty-six (26), forty-two (42), forty-three (43), forty-six (46) and forty-nine (49) of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mineral purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, and to add to said act two additional sections, known as sections seventeen and one-half (17½) and forty-four and one-half (44½).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seventeen (17) of an act entitled "An act to
3 provide for the construction, reparation and protection of drains, ditches and
4 levees across the lands of others, for agricultural, sanitary and mining pur-
5 poses, and to provide for the organization of drainage districts," approved and
6 in force May 29, 1879, be, and the same is hereby amended, so as so read as
7 follows:

8 "Section 17. The jurors, empaneled as aforesaid, shall elect one of their
9 number foreman when the proceeding is for the construction of ditches,
10 drains or levees, and shall proceed to examine the lands to be affected by the
11 proposed work and ascertain to the best of their ability and judgment, the dam-
12 agee and benefits which will be sustained by, or will accrue to the lands to be
13 affected by said proposed work, and shall make out an assessment roll in which
14 shall be set down in proper columns the names of owners, when known, a de-
15 scription of the premises affected, in the words or figures, or both, as shall

16 be most convenient, the number of acres in each tract, and if damages are
 17 allowed, the amount of the same; and if benefits are assessed, the amount
 18 of the same; and in case damages are allowed to, and benefits assessed
 19 against the same tract of land, the balance, if any, shall be carried forward
 20 to a separate column for damages or benefits, as the case may be. But the
 21 amount assessed for keeping said levee or ditch in repair, shall not in the
 22 aggregate amount to a sum in any one year, greater than would be produced
 23 by thirty cents per acre on all the lands within said district. In case the
 24 petition shall set out that a levee or ditch has been made under any law of
 25 this State and prays for an assessment to repair and keep in repair said
 26 levee or ditch, the jury shall assess the benefits which said lands will sus-
 27 tain by repairing said levee or ditches, and also the annual amount of ben-
 28 efits which said lands will sustain by keeping said levee or ditch in repair
 29 thereafter; and in such case no other or different assessment shall be made
 30 by the jury, but in all other respects the jury shall comply with the provi-
 31 sions of this act, so far as the case may be applicable thereto: *Provided*, that
 32 in all cases where the amount of benefits assessed, and the assessment of
 33 benefits to repair said levees or ditches heretofore constructed under any
 34 law of this State are insufficient to complete the ditches, drains or levees
 35 embraced in the proceedings, the "annual amount of benefits" assessed by
 36 the jury to keep said levee or ditch in repair after making all necessary re-
 37 pairs for any year, may be applied to complete the ditches, drains or levees,
 38 embraced in the proceedings, and to raising, strengthening and protecting
 39 said ditches, drains or levees when completed, and in constructing additional
 40 ditches, drains or levees, when required to protect the lands embraced in the
 41 drainage and levee districts organized under this act from inundation and
 42 overflow, and in paying interest on any notes or bonds issued under this
 43 act.

§ 2. That section 26 of the act aforesaid, to which this act is an amend-
 2 ment, be, and the same is hereby so amended, as to read as follows:

3 "Section 26. At the time of confirming such assessment, it shall be com-
 4 petent for the court to order the assessment of benefits to be paid in install-

ments of such amounts and at such times as will be convenient for the accomplishment of the proposed work; otherwise the whole amount of such assessment shall be payable immediately upon such confirmation, and shall be a lien upon the lands assessed until paid. But in cases where a levee or ditch has been heretofore built under any law of this State, or may hereafter be built under the provisions of this act, the annual amount of benefits for keeping the same in repair shall be due and payable on the 1st day of September annually, and shall be a lien on the lands upon which said assessments are made from and after the confirmation of the report. The court in which such proceedings are had shall require from said commissioners a report of the condition of the levee or ditch, at its July term of each year, together with their estimate of the amount necessary to keep the levee or ditch in repair, pay all incidental and necessary expenses for the ensuing year, and the amount necessary to complete the ditches, drains or levees embraced in the proceedings, and to raise, strengthen or protect said ditches, drains or levees when completed, and in constructing additional ditches, drains or levees when required to protect the lands embraced in the drainage and levee districts organized under this act, from inundation and overflow; and if the court shall find that a less amount will be required for such ensuing year than the whole amount of the assessment for that year, then the court shall, by an order, fix the amount to be paid for such year, and only that amount shall be collected, and the excess of such assessment over and above the amount so fixed by said order for said year, shall be remitted by law and shall not thereafter be collected: *Provided*, that the amount to be collected under the order of said court shall not in the aggregate, amount in any one year to a sum greater than would be produced by a levy of thirty cents per acre on all the lands within said district: *Provided, further*, that in all cases where the ditches, drains or levees constructed or repaired under this act are in danger of being impaired, injured, broken or destroyed by overflow or otherwise, and a part of the annual amount of benefits for protection and keeping the same in repair for the year in which said ditches, drains or levees are so threatened has been remitted by order of court as herein provided, or

37 when the annual amount of benefits for protecting and keeping the same in
 38 repair for any year is insufficient, the commissioners of drainage and levee
 39 districts, organized under this act, may borrow money on the annual amount
 40 of benefits becoming due the 1st day of September, following the time when
 41 said ditches, drains or levees are so threatened, to the extent of two-thirds of
 42 said annual amount of benefits, and may secure the same by notes or bonds of
 43 the drainage and levee districts, bearing interest at the rate of six per cent. per
 44 annum, and not running beyond one year from the date of issue, which notes
 45 or bonds shall not be held to make the commissioners personally liable for the
 46 money borrowed, but shall constitute a lien upon the annual amount of benefits
 47 falling due thereafter for the repayment of the principal and interest thereof;
 48 *Provided*, that the report of the commissioners as to the condition of the levee
 49 or ditch, and their estimate of the amount necessary to keep the levee or ditch
 50 in repair, pay all incidental and necessary expenses for the ensuing year, and
 51 the amount necessary to complete the ditches, drains or levees embraced in the
 52 proceedings, and to raise, strengthen or protect said ditches, drains or levees
 53 when completed, and in constructing additional ditches, drains or levees when
 54 required to protect the lands embraced in the drainage districts, when the pro-
 55 ceeding if before a justice of the peace, shall be made on the first Monday in
 56 July, in each year.

§ 3. That section forty-two (42) of the act aforesaid, to which this act is
 2 an amendment, be, and the same is hereby so amended, as to read as follows:
 3 "Section 42. The commissioners shall receive for their services the sum of
 4 two dollars per day and their necessary traveling expenses, for each day
 5 they shall be actually engaged in the business of their appointment. The
 6 commissioners shall present an itemized account, under oath to the county
 7 court or justice of the peace, when the proceeding is before a justice of the
 8 peace of the amounts due them respectively, which amounts shall be audited
 9 at least once a year by said county court or justice of the peace, and certified to
 10 by said court or justice of the peace to their treasurer, to be paid by him on
 11 said certificate. The commissioners shall fix the compensation of said
 12 treasurer, collector and all other servants and agents, and the clerk of the

13 county court and justice of the peace shall receive for their services, hereunder,
 14 such fees as are by law allowed for similar services in said county court and
 15 before justices of the peace: *Provided*, that when the proceedings are before
 16 the justice of the peace, the commissioners shall make all reports required of
 17 them by law to the justice of the peace before whom the drainage and levee
 18 district was organized, or his successor in office, when not otherwise specifi-
 19 cally provided for.

§ 4. That section forty-three (43) of the act aforesaid, to which this act is an
 2 amendment, be, and the same is hereby so amended, as to read as follows:
 3 "Section 43. Whenever a petition shall be presented to said court by the
 4 owner of any tract of land within said district, setting forth that the same, or
 5 any part thereof, has been erroneously assessed for benefits, for the reason that
 6 the same is not subject to overflow, or has never been overflowed by the highest
 7 waters known, and praying that the said lands in whole or in part may be
 8 released from the assessment made or to be made in future, the court may
 9 after ten day's notice of the filing of such petition being given to the com-
 10 missioners, at any term of said court, proceed to hear said application,
 11 granting such continuance as may be right and proper, and if the court shall
 12 find, upon issue joined, that any part of the land named in said petition has
 13 never been overflowed by the highest water known from the stream against
 14 which the levee in question has been constructed, may, by order to be entered
 15 of record, unless it appears to the court that the assessment on the whole
 16 tract is no more than the proportion that the land subject to overflow in
 17 said tract is benefited, and should pay toward constructing and maintaining
 18 the levee, or that the assessment on the tract is no more than the proportion
 19 of sanitary benefits received by the whole tract, and no more than the whole
 20 tract should pay for sanitary benefits toward constructing and maintaining
 21 the levee, amend the assessment roll returned by the jury in conformity to the
 22 facts found, and such part shall thereafter be discharged from all other
 23 assessments, and the clerk shall immediately cause a copy of such order to be
 24 delivered to the commissioners that the copy of the assessment roll in their
 25 hands may be made to conform to such order: *Provided*, that said petition

26 shall be filed within one year after the confirmation of the assessment, and not
27 thereafter.

§ 5. That section forty-six (46) of the act aforesaid, to which this act is an
2 amendment, be, and the same is hereby so amended, as to read as follows:
3 "Section 46. When the cost of any proposed drain, ditch, levee or other work
4 authorized by this act to be done, will not exceed the sum of six thousand dollars,
5 the petition may, if the petitioners shall so elect, be filed with a justice of
6 the peace in the county where the land to be affected or the major part
7 thereof is situated; and all the proceedings authorized by this act to be had
8 in the county court, in cases where the petition is filed in such court, may
9 be had before such justice of the peace, the justice of the peace performing
10 all the services and duties required of the clerk of the county court by this
11 act in proceedings commenced in that court; and the assessment of damages
12 and benefits shall be conducted before such justice in the same manner, as
13 near as may be, as cases commenced by petition before such county court
14 In proceedings before a justice of the peace under this act, the petition, re-
15 port of commissioner or commissioners, assessment roll and all other papers
16 may be filed and a hearing had thereon at any time, notice having first been
17 given for the length of time and in the manner required by this act; and ap-
18 peals may be taken from the final judgment of the justice of the peace to
19 the county court within the same time and in the same manner as appeals
20 may be taken from the findings of the jury in cases commenced in the coun-
21 ty court, and the assessment of benefits may be collected and enforced as in
22 such cases before the county court."

§ 6. That section forty-nine (49) of the act aforesaid, to which this act is
2 an amendment, be, and the same is hereby amended, so as to read as follows
3 "Section 49. When a ditch or drain has been located under the provisions
4 of this act, of sufficient capacity to carry off the water that flows to it, and
5 also to properly drain the land taxed for the construction of the same, such
6 lands shall not be again taxed or assessed for the benefit of improving any
7 lands lying above the lands taxed for the construction thereof; and in all
8 cases where any such ditch empties into any lower ditch above described, for
9 the benefit of lands lying above the lower ditch, the commissioners, under the

10 direction of the court, shall levy a sufficient tax on such land benefitted by the
 11 new ditch to enlarge such lower ditch, so as to confine the water to the same
 12 level that it originally had before an additional amount of water emptied
 13 into such lower ditch, for the benefit of lands lying above the lower ditch.
 14 Whenever it shall appear to the jury that a drain, ditch, levee or other work
 15 has been in whole or in part constructed by voluntary effort of the owners
 16 thereof, for the purpose of draining or protecting any land to be affected by
 17 the work proposed under this act, and said work shall be found to be a bene-
 18 fit to such lands, and that any of the lands to be benefitted by the said work
 19 have borne any part of the expense of such work so voluntarily done, the
 20 jury may allow the owners of such land, and deduct from the assessment
 21 which they may make against the same, the amount of the expenses of such
 22 work so borne by such lands, or such part thereof, as will make an equality
 23 of burdens and benefits as between the several owners of lands benefitted.
 24 When a ditch, drain or levee established or repaired under this act, drains
 25 or levees, either in whole or in part, any public or corporate road or railroad
 26 so as to benefit any of such roads, so that the road-bed or traveled track of
 27 such road will be improved by the construction of said ditch, drain or levee,
 28 the commissioners shall apportion to the county, State, or free turnpike road,
 29 to the township, if a township road, to the company, if a corporate road or
 30 railroad, such portions of the cost and expenses thereof as to private individ-
 31 uals, and require them to pay such cost and perform such labor in like man-
 32 ner as individuals; and in case there is a disagreement between the commis-
 33 sioners and the corporate authority of the county, State, or free turnpike road
 34 or railroad as to the amount that they should contribute, then the commis-
 35 sioners shall refer the matter to the jury impaneled to assess damages and
 36 benefits, when they meet to correct their assessment of damages and benefits,
 37 and the jury shall then proceed to assess the damages and benefits in like
 38 manner as the lands of individuals, and no other or different notice shall be
 39 given than that required in section 19 of this act: *Provided*, that when the
 40 commissioners and the corporate authorities of the county, State, or free turn-
 41 pike, township road, corporate road or railroad, or any of them, agree as to
 42 the amount that they or any of them should contribute, that the amount so

43 agreed on shall be reported to the said jury when they meet to correct their
 44 assessment roll, and the amounts so agreed on shall be incorporated in said as-
 45 sessment roll when amended by said jury."

§ 7. That said act to which this act is an amendment be and the same is here-
 2 by amended by adding to the said act to which this act is an amendment,
 3 two other sections, to be numbered sections seventeen and one-half (17½),
 4 and forty-four and one-half (44½), as follows :

5 "Section 17½. Jurors summoned or empaneled to assess damages and ben-
 6 efits under this act, shall receive the same compensation as petit jurors in
 7 courts of record, which shall be taxed as a part of the costs of the proceed-
 8 ings, and paid out of the assessments when collected by the commissioners,
 9 in the same manner as other costs and expenses.

10 "Section 44½. Drainage and levee districts heretofore organized under this
 11 act, and drainage and levee districts hereafter organized under said act, when
 12 it shall become necessary to construct additional drains, ditches or levees in
 13 order to protect the lands embraced in said drainage and levee districts
 14 from inundation and overflow, or repair, enlarge, raise, strengthen or pro-
 15 tect drains, ditches or levees already constructed or in progress of construc-
 16 tion, may, by their agents and employees, enter upon and take possession of
 17 such lands as may be necessary to construct such additional drains, ditches
 18 or levees, or repair, enlarge, raise, strengthen or protect drains, ditches or
 19 levees already constructed or in process of construction, paying, if the own-
 20 er of such lands and the commissioners of said drainage and levee districts
 21 can agree, the value of such lands taken and the amount of damages occa-
 22 sioned thereby, to any such lands or its appurtenances, and if such owners
 23 and commissioners of said drainage and levee districts cannot agree, then the
 24 value of such land and the damages occasioned thereto, may be ascertained,
 25 determined and paid in the manner that may now or hereafter be provided by
 26 any law of eminent domain. And the commissioners of said drainage and
 27 levee districts, when necessary to protect the drains, ditches or levees thereof,
 28 may put in such works in and along rivers, creeks or lakes, as will protect
 29 the banks of the same from caving, and they may go beyond the bounds of the
 30 said district for that purpose."

1. Introduced by Gillham March 27, 1882, and ordered to first reading.
2. First reading March 30, 1882, and referred to Committee on Agriculture and Drainage.
3. Reported back April 6, 1882, passage recommended, and ordered to second reading.

A BILL

For An Act to amend Sections thirty-three (33) and thirty-four (34), of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by an act entitled "An act to amend sections three (3), five (5), twelve (12), thirty-three (33), thirty-four (34), thirty-seven (37) and thirty-eight (38), of an act entitled 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts, approved and in force May 29, 1879, and to add to said act an additional section, to be known as section forty-three and one-half (43½),' approved and in force May 19, 1881.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section thirty-three (33), of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by an act entitled "An act to amend sections three (3), five (5), twelve (12), thirty-three (33), thirty-four (34), thirty-seven (37) and thirty-eight (38), of an act entitled 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, and to add to said act an additional section, to be known as section forty-three and one-half (43½)," approved and in force May 19, 1881, be, and the same is hereby so amended, as to read as follows:

13 "Section 22. The commissioners, upon receiving such certified copy of such assessment roll,
 14 shall immediately cause a notice to be published for three (3) weeks, in the manner required in
 15 section three (3), of this act, in substance as follows: Notice of Drainage and Levee Assess-
 16 men'.--Notice is hereby given to all persons interested, that an assessment (or installment of
 17 per cent of the assessment, as the case may be,) is now due for drainage and levee purposes,
 18 for the year A. D. 18.., upon lands lying within the drainage and levee district, in the
 19 county of, and State of Illinois, and that the same must be paid to the undersigned,
 20 commissioners of said drainage and levee district (or to, collector of said dis-
 21 trict, as the case may be,) on or before the day of, 18..; and in default of such
 22 payment, the several tracts of land upon which said assessment (or installment, as the case may
 23 be,) remains unpaid, will be sold, according to law, to pay the amount of such assessment or in-
 24 stallment and costs.

25 Dated this day of 18..,

26 Commissioners.

27 And in case the assessments made are ordered by the county court or justice of the peace to
 28 be paid in installments, said commissioners shall give a like notice, as near as may be, of any
 29 installment or installments, immediately after such installment or installments become due and
 30 payable. And in case of "annual amount of benefits" the commissioners shall give notice in a
 31 similar manner immediately after the first day of September of each year, stating what part of
 32 the "annual amount of benefits" will be collected for that year, which notice may be in sub-
 33 stance as follows :

34 Notice of Annual Drainage Assessment.--Notice is hereby given to all persons interested,
 35 that the "annual amount of benefits," (or per cent. of the "annual amount of benefits," as
 36 the case may be), is now due for drainage and levee purposes for the year A. D. 18.., upon land
 37 lying within the drainage and levee district, in the county of and State of
 38 Illinois, and that the same must be paid to the undersigned, commissioners of said district, (or
 39 to, collector of said district, as the case may be), on or before the day of
 40, 18..; and in default of such payment, the several tracts of land upon which said
 41 "annual amount of benefits" (or per cent. of the "annual amount of benefits," as the case
 42 may be), remains unpaid, will be sold according to law to pay the amount of the same and costs.

43 Dated this day of 18..,

44 Commissioners.

§ 2. That section thirty-four(34), of the act aforesaid, to which this act is an amendment, be

and the same is hereby so amended, as to read as follows:

"Section 34. If the assessment, or any installment or installments thereof, or annual amount of benefits, due upon said lands, shall not be paid on or before the day named in the notice given as in section thirty-three (33), of this act, it shall be the duty of said commissioners, if they have not appointed a collector as aforesaid, and if so, then of said collector, to make out a certified list of such delinquent lands upon which the assessment, or any installment or annual amount of benefits remains unpaid, and the same shall be by him or them, on or before the tenth day of March next after the same have become payable, returned to the county collector of the county or counties in which said lands shall lie; and when the same shall lie in different counties, a separate return shall be made for each county of the delinquent lands therein; and it shall be the duty of the collector to whom any such returns have been made, to transfer such returns to the tax books in his hands, setting down therein in proper order the several tracts of the real estate, town lots and blocks, roads and public highways so returned, and setting opposite to the respective tracts of real estate, lots and blocks, roads and public highways, in proper columns prepared for that purpose, the amount of assessment, installment or installments or annual amount of benefits against each tract of real estate, lots and blocks, roads and public highways, and the like proceedings shall be had, and with the like force and effect in the collection of such delinquent assessment or assessments, or installment or annual amount of benefits unpaid, with interest, and the sale of said real estate, lots and block, roads and public highways and lands for non-payment thereof as in ordinary collections of State and county taxes by county collectors, and of sale of real estate by them for such non-payment and of redemption from such sales. Nothing in this act contained shall be construed to affect or impair any assessment or return of lands delinquent for assessment heretofore made under any law of this State."

1. Introduced by Mr. Gillham, March 27, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back, passage recommended, and ordered to second reading.
4. Second reading April 24, 1883, amended and ordered to third reading.

A BILL

For An Act to amend sections thirty-three (33) and thirty-four (34), of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by an act entitled "An act to amend sections (3), five (5), twelve (12), thirty three (33), thirty-four (34), thirty-seven (37) and thirty-eight (38), of an act entitled 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organisation of drainage districts, approved and in force May 29, 1879, and to add to said act an additional section, to be known as section forty-three and one-half (43½)," approved and in force May 19, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section thirty-three (33), of an act entitled "An act
3 to provide for the construction, reparation and protection of drains, ditches
4 and levees across the lands of others, for agricultural, sanitary and mining
5 purposes, and to provide for the organisation of drainage districts," approved
6 and in force May 29, 1879, as amended by an act entitled "An act to amend
7 sections three (3), five (5), twelve (12), thirty-three (33), thirty-four (34), thirty-

8 seven (§7) and thirty-eight (38), of an act entitled 'An act to provide for the
 9 construction, reparation and protection of drains, ditches and levees across
 10 the lands of others, for agricultural, sanitary and mining purposes, and to
 11 provide for the organization of drainage districts,' approved and in force
 12 May 29, 1879, and to add to said act an additional section, to be known as
 13 section forty-three and one-half (43½)," approved and in force May 19, 1881,
 14 be, and the same is hereby so amended, as to read as follows:

15 "Section 33. The commissioners, upon receiving such certified copy of such
 16 assessment roll, shall immediately cause a notice to be published for three
 17 (3) weeks, in the manner required in section three (3), of this act, in sub-
 18 stance as follows: Notice of Drainage and Levee Assessment.—Notice is
 19 hereby given to all persons interested, that an assessment (or installment of
 20 per cent. of the assessment, as the case may be,) is now due for drain-
 21 age and levee purposes, for the year A. D. 18.., upon lands lying within the
 22 drainage and levee district, in the county of..... and State of
 23 Illinois, and that the same must be paid to the undersigned, commissioners
 24 of said drainage and levee district (or to, collector of said dis-
 25 trict, as the case may be,) on or before the day of, 18..; and
 26 in default of such payment, the several tracts of land upon which said
 27 assessment (or installment, as the case may be,) remains unpaid, will be sold,
 28 according to law, to pay the amount of such assessment or installment and
 29 costs.

30 Dated this day of 18..,

31 Commissioners.

32 And in case the assessments made are ordered by the county court or
 33 justice of the peace to be paid in installments, said commissioners shall give
 34 a like notice, as near as may be, of any installment or installments, immedi-
 35 ately after such installment or installments become due and payable. And
 36 in case of "annual amount of benefits" the commissioners shall give notice
 37 in a similar manner immediately after the first day of September of each
 38 year, stating what part of the "annual amount of benefits" will be collected
 39 for that year, which notice may be in substance as follows:

40 Notice of Annual Drainage Assessment.—Notice is hereby given to all
 41 persons interested, that the "annual amount of benefits," (or per cent.
 42 of the "annual amount of benefits," as the case may be), is now due for
 43 drainage and levee purposes for the year A. D. 18.., upon land lying within
 44 the drainage and levee district, in the county of, and State
 45 of Illinois, and that the same must be paid to the undersigned, commis-
 46 sioners of said district, (or to, collector of said district, as the case
 47 may be), on or before the day of, 18..; and in default of such
 48 payment, the several tracts of land upon which said "annual amount of
 49 benefits" (or per cent. of the "annual amount of benefits," as the case
 50 may be), remains unpaid, will be sold according to law to pay the amount
 51 of the same and costs.

52 Dated this day of 18..,

53 Commissioners.

§ 2. That section thirty-four (34), of the act aforesaid, to which this act
 2 is an amendment, be and the same is hereby so amended, as to read as fol-
 3 lows:

4 "Section 34. If the assessment, or any installment or installments thereof,
 5 or annual amount of benefits, due upon said lands, shall not be paid on or
 6 before the day named in the notice given as in section thirty-three (33) of
 7 this act, it shall be the duty of said commissioners, if they have not
 8 appointed a collector as aforesaid, and if so, then of said collector, to make
 9 out a certified list of such delinquent lands upon which the assessment, or
 10 any installment or annual amount of benefits remains unpaid, and the same
 11 shall be by him or them, on or before the tenth day of March next after
 12 the same have become payable, returned to the county collector of the county
 13 or counties in which said lands shall lie; and when the same shall lie in
 14 different counties, a separate return shall be made for each county of the
 15 delinquent lands therein; and it shall be the duty of the collector to whom
 16 any such returns have been made, to transfer such returns to the tax books
 17 in his hands, setting down therein in proper order the several tracts of the
 18 real estate, town lots and blocks so returned, and setting opposite to the

19 respective tracts of real estate, lots and blocks, in proper columns prepared
20 for that purpose, the amount of assessment, installment or installments or
21 annual amount of benefits against each tract of real estate, lots and blocks,
22 and the like proceedings shall be had, and with the like force and effect in
23 the collection of such delinquent assessment or assessments, or installment
24 or annual amount of benefits unpaid, with interest, and the sale of said real
25 estate, lots, blocks and lands for non-payment thereof as in ordinary collec-
26 tions of State and county taxes by county collectors, and of sale of real
27 estate by them for such non-payment and of redemption from such sales.
28 Nothing in this act contained shall be construed to affect or impair any
29 assessment or return of lands delinquent for assessment heretofore made
30 under any law of this State."

1. Reported to House May 18, 1883.
2. First reading June 6, 1883, and ordered to a second reading.

A BILL.

For An Act to amend sections thirty-three (33) and thirty-four (34) of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, as amended by an act entitled "An act to amend sections three (3), five (5), twelve (12), thirty-three (33), thirty-four (34), thirty-seven (37) and thirty-eight (38) of an act entitled "An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts," approved and in force May 29, 1879, and to add to said act an additional section, to be known as section forty-three and one half (43½)," approved and in force May 19, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section thirty-three (33), of an act entitled "An act
3 to provide for the construction, reparation and protection of drains, ditches
4 and levees across the lands of others, for agricultural, sanitary and mining
5 purposes, and to provide for the organization of drainage districts," approved
6 and in force May 29, 1879, as amended by an act entitled "An act to amend
7 sections three (3), five (5), twelve (12), thirty-three (33), thirty-four (34), thirty-
8 seven (37) and thirty-eight (38) of an act entitled "An act to provide for
9 the construction, reparation and protection of drains, ditches and levees
10 across the lands of others, for agricultural, sanitary and mining purposes,

11 and to provide for the organization of drainage districts, approved and in
 12 force May 29, 1879, and to add to said act an additional section, to be known
 13 as section forty three and one-half (43½)," approved and in force May 19, 1881,
 14 be, and the same is hereby so amended, as to read as follows:

15 "Section 33. The commissioners upon receiving such certified copy of such
 16 assessment roll, shall immediately cause a notice to be published for three
 17 (3) weeks, in the manner required in section three (3) of this act, in substance
 18 as follows: 'Notice of Drainage and Levee Assessment.' Notice is hereby
 19 given to all persons interested, that an assessment (or installment of per
 20 cent. of the assessment, as the case may be) is now due for drainage and
 21 levee purposes, for the year A. D. 18.., upon lands lying within the
 22 drainage and levee district, in the county of and State of Illinois,
 23 and that the same must be paid to the undersigned, commissioners of said
 24 drainage and levee district, (or to, collector of said district, as the
 25 case may be), on or before the day of 18..; and in default of such
 26 payment, the several tracts of land upon which said assessment (or install-
 27 ment, as the case may be), remains unpaid, will be sold, according to law, to
 28 pay the amount of such assessment or installment and costs.

29 Dated this day of 188..,

30 Commissioners.

31 And in case the assessments made are ordered by the county court or
 32 justice of the peace to be paid in installments, said commissioners shall give
 33 a like notice, as near as may be, of any installment or installments imme-
 34 diately after such installment or installments become due and payable. And
 35 in case of "annual amount of benefits," the commissioners shall give notice
 36 in a similar manner immediately after the first day of September of each year,
 37 stating what part of the "annual amount of benefits" will be collected for
 38 that year, which notice may be in substance as follows:

39 Notice of Annual Drainage Assessment.—Notice is hereby given to all
 40 persons interested, that the "annual amount of benefits," (or per cent.
 41 of the "annual amount of benefits" as the case may be), is now due for
 42 drainage and levee purposes for the year A. D. 18.., upon land lying within

43 the drainage and levee district, in the county of and State
 44 of Illinois, and that the same must be paid to the undersigned, commis-
 45 sioners of said district, or to, collector of said district, as the case
 46 may be, on or before the day of, 18..; and in default of such
 47 payment, the several tracts of land upon which said "annual amount of
 48 benefits" or per cent. of the "annual amount of benefits," as the case
 49 may be, remains unpaid, will be sold, according to law, to pay the amount
 50 of the same and costs.

51 Dated this day of, 18..,

52 Commissioners.

§ 2. That section thirty-four (34) of the act aforesaid, to which this act is
 2 an amendment, be, and the same is hereby so amended, as to read as follows:
 3 "Section 34. If the assessment, or any installment or installments thereof,
 4 or annual amount of benefits, due upon said lands, shall not be paid on or
 5 before the day named in the notice given as in section thirty three (33) of
 6 this act, it shall be the duty of said commissioners, if they have not appoint-
 7 ed a collector as aforesaid, and if so, then of said collector, to make out a
 8 certified list of such delinquent lands upon which the assessment, or any
 9 installment or annual amount of benefits remains unpaid, and the same shall
 10 be by him or them, on or before the tenth day of March, next, after the same
 11 have become payable, returned to the county collector of the county or coun-
 12 ties in which said lands shall lie; and when the same shall lie in different
 13 counties, a separate return shall be made for each county of the delinquent
 14 lands therein; and it shall be the duty of the collector to whom any such re-
 15 turns have been made, to transfer such returns to the tax books in his hands,
 16 setting down therein in proper order the several tracts of the real estate,
 17 town lots and blocks so returned, and setting opposite to the respective tracts
 18 of real estate, lots and blocks, in proper columns prepared for that purpose,
 19 the amount of assessment, installment or installments or annual amount of
 20 benefits against each tract of real estate, lots and blocks, and the like pro-
 21 ceedings shall be had, and with the like force and effect in the collection of such
 22 delinquent assessment or assessments, or installment or annual amount of

23 benefits unpaid, with interest, and the sale of said real estate, lots, blocks
24 and lands for non-payment thereof as in ordinary collections of State and
25 county taxes by county collectors, and of sale of real estate by them for such
26 non-payment and redemption from such sales. Nothing in this act contained
27 shall be construed to affect or impair any assessment or return of lands de-
28 linquent for assessment heretofore made under any law of this State."

1. Introduced by Mr. Ihorn, March 28, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back April 7, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges, in counties not under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That whenever any persons, traveling with any car-
3 riages, shall meet on any turnpike road or public highway in this State,
4 the persons so meeting shall seasonably turn their carriages to the right
5 of the beaten track, so as to permit each carriage to pass without inter-
6 fering or interrupting, under the penalty of five dollars for every neglect
7 or offense, to be recovered by the party aggrieved: *Provided,* this section
8 shall not be construed to apply to a case where it is impracticable from the
9 nature of the ground for the driver of the carriage or wagon to turn to
10 the right of the beaten track.

§ 2. No person owning any carriage, running or traveling upon any road
2 in this State for the conveyance of passengers, shall knowingly employ, or
3 continue in employment, any person to drive such carriage who is addicted
4 to drunkenness or the excessive use of spirituous liquors; and if any such
5 owner shall violate the provisions of this section, after he shall have had
6 notice, and reasonable proof that such driver is addicted to drunkenness, he
7 shall forfeit at the rate of five dollars per day for all the time during

8 which thereafter he shall keep such driver in his employment, to be sued
 9 for by any person, and collected in any court having competent jurisdic-
 10 tion; and the court may allow a portion of said penalty, not exceeding \$25,
 11 to be retained by such complainant, as a compensation for his services and
 12 expenses; the balance to be paid to the road treasury of the district where
 13 such offense was committed. Any person driving his own team, or the team
 14 of another, on the public highway, when intoxicated, shall be subject to a
 15 fine of not less than three dollars, nor more than twenty-five dollars, for
 16 each offense.

§ 3. If any driver, while actually employed in driving any such carriage,
 2 shall be guilty of intoxication, to such a degree as to endanger the safety
 3 of the passengers in the carriage, it shall be the duty of the owner of such
 4 carriage, on receiving written notice of the fact, signed by any one of said
 5 passengers, and certified by him on oath, forthwith to discharge such driver
 6 from his employment; and every such owner who shall retain, or have in
 7 his employ, within thirty days after the receipt of such notice, any driver
 8 who shall have been so intoxicated, shall forfeit at the rate of five dollars
 9 per day for the time during which he shall keep any such driver in his
 10 employment after receiving such notice, to be sued for and applied as
 11 directed in section two, of this act.

§ 4. No person driving any carriage upon any turnpike road or public
 2 highway within this State, with or without passengers therein, shall run his
 3 horses or carriage, or permit the same to run, upon any occasion, or for any
 4 purpose whatever, except in case of necessity; and every person who shall
 5 offend against the provisions of this section shall be deemed guilty of a
 6 misdemeanor, and, on conviction thereof, shall be fined not exceeding \$100;
 7 or imprisoned not exceeding sixty days, at the discretion of the court.

§ 5. It shall not be lawful for the driver of any carriage, used for the
 2 purpose of conveying passengers for hire, to leave the horses attached thereto
 3 while passengers remain therein, without making such horses fast with a
 4 sufficient halter, rope or chain, or by placing the lines in the hands of some
 5 other person, so as to prevent their running; and if any such driver shall

6 offend against the provisions of this section, he shall forfeit the sum of \$20,
7 to be recovered by action, to be commenced within six months; and unless the
8 amount of such recovery be paid forthwith, execution shall be immediately
9 issued therefor.

10 § 6. The owner of every carriage running upon any turnpike, road or
11 public highway, for the conveyance of passengers, shall be liable, jointly or
12 severally, to the party injured, in all cases, for all injuries or damages done
13 by any person in the employment of such owners as a driver, while driving
14 such carriage, to any person, or to the property of any person, and that
15 whenever the act occasioning such injury or damage be willful, negligent
16 or otherwise, in the same manner as such driver would be liable. Any driver
17 of any mail stage coach, or any other vehicle for the conveyance of passen-
18 gers, willfully offending against the provisions of this act, shall be deemed
19 guilty of a misdemeanor, and, on conviction thereof, shall be fined not ex-
20 ceeding \$300, or imprisoned not exceeding four months.

21 § 7. The term "carriage," as used in this act, shall be construed to include
22 stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle
23 used for the transportation of passengers and goods, or either of them.

24 § 8. Nothing contained in this act shall interfere with or affect any law con-
25 cerning hackney coaches or carriages in any of the cities of this State, nor
26 interfere with nor affect the laws or ordinances of any such city for the licens-
27 ing or regulating such coaches or carriages. Justices of the peace shall have
28 jurisdiction in all cases arising under this act, where the penalty does not exceed
29 their jurisdiction.

30 § 9. For destroying or defacing any guide-board, post, or milestone, or any
31 notice or direction put up on any bridge or otherwise, by or with the authority
32 of the commissioners of highways, the offender shall forfeit a sum not less
33 than three dollars, nor more than fifty dollars.

34 § 10. If any person shall injure or obstruct a public road by falling a tree or
35 trees in, upon or across the same, or by placing or leaving any other obstruction
36 thereon, or encroaching upon the same with any fence, or by plowing or digging
37 any ditch or other opening thereon, or by turning a current of water so as to

5 saturate or wash the same, or shall leave the cuttings of any hedge thereon, for
 6 more than ten days, they shall forfeit for every such offense a sum not less than
 7 three dollars, nor more than ten dollars; and in case of placing any obstruction
 8 on the highway, an additional sum of not exceeding three dollars per day for
 9 every day he shall suffer such obstruction to remain after he has been ordered
 10 to remove the same by any of the commissioners; complaint to be made by any
 11 person feeling himself aggrieved: *Provided*, this section shall not apply to any
 12 person who shall lawfully fall any tree for use, and will immediately remove
 13 the same out of the road, nor to any person through whose land a public road
 14 may pass, who shall desire to drain his land, and shall give due notice to the
 15 commissioners of such intention: *And provided, further*, that the commissioners,
 16 after having given reasonable notice (to the owners) of the obstruction, or per-
 17 son so obstructing or plowing or digging ditches upon such road, of the obstruc-
 18 tion, may remove any such fence or other obstruction, fill up any such ditch or
 19 excavation, except ditches necessary to the drainage of an adjoining farm,
 20 emptying into a ditch upon the highway, and recover the necessary cost of such
 21 removal from such owner or other person obstructing such road aforesaid,
 22 to be collected by said commissioners before any justice of the peace having
 23 jurisdiction.

§ 11. It is hereby declared unlawful for any land owner, renter or other
 2 person to deposit in a public road, weeds, trash, garbage or any offensive mat-
 3 ter, and any person so offending shall be liable to a penalty of not less than
 4 three dollars, nor more than ten dollars; but this shall not apply where
 5 proper deposits may be made in good faith and in a proper manner to repair
 6 the roads.

§ 12. If any person shall purposely destroy or injure any sidewalk, public
 2 bridge, culvert or causeway, or remove any of the timber or plank thereof,
 3 or obstruct the same, he shall forfeit a sum not less than three nor more
 4 than one hundred dollars, and shall be liable for all damages occasioned
 5 thereby and all necessary costs for rebuilding or repairing the same.

§ 13. All suits for the recovery of any fine or penalty under this act shall
 2 be brought in the name of the district in which the offense is committed, be-

3 fore any justice of the peace or police magistrate within the district, who shall
 4 have jurisdiction in such cases to the extent of their jurisdiction in other
 5 cases; and it shall be the duty of the commissioners to seasonably prosecute
 6 for all fines and penalties under this act; but in case of a failure of said
 7 officers to so prosecute, complaint may be made by any person: *Provided,*
 8 said person shall, before bringing suit in the name of the district, give a bond
 9 for costs, as is provided for in the case of non-residents. But whenever any
 10 person shall enter complaint to any road commissioner it shall be the duty
 11 of such commissioner to at once proceed to investigate as to the reasons of
 12 such complaint, and if such complaint is found to be just he shall at once
 13 proceed to prosecution: *Provided, further,* that the commissioners may sue
 14 and be sued on all contracts entered into by them for the construction and re-
 15 pairing of roads and bridges, and the judgment in any such case against the
 16 commissioners shall be a district charge.

§ 14. All fines recovered under the provisions of this act, unless otherwise
 2 provided, shall be paid over to the treasurer of the commissioners of the
 3 district where the offense is committed, to be expended upon the roads and
 4 bridges in said district.

§ 15. Any person owning, using or occupying lands on both sides of any pub.
 2 lic highway, shall be entitled to the privilege of making a crossing under said
 3 highway for the purpose of letting his cattle and other domestic animals cross
 4 said road: *Provided,* said person shall erect, at his own expense, a good and
 5 substantial bridge, with good railings on each side thereof, and build an em-
 6 bankment, of easy grade, on either side of said bridge; said bridge to be not
 7 less than sixteen feet wide, and to be approved by the commissioners of the
 8 district in which said bridge is built, and the same to be kept constantly in good
 9 repair by the owner or occupant of said land, the construction subject always
 10 to the consent and approval of the commissioners of said district: *And provided,*
 11 further, that in case such crossing is made on any water-way or natural channel
 12 for water and where a culvert or bridge is maintained as required for road pur-
 13 poses, said owners or occupants shall not be required to pay for or construct
 14 any more of said crossing than the additional cost of such crossing over and

15 above the necessary cost of a suitable culvert or bridge for road purposes at
 16 such place.

§ 16. It shall be the duty of the county boards of the several counties,
 2 at their first session after this act shall be in force and take effect, to divide
 3 the county into road districts, where it is practicable, to be composed of
 4 territory not less than a congressional township; (fractional or whole town-
 5 ships may be attached to other fractional or whole townships). The districts
 6 so formed shall be designated by some number.

§ 17. The corporate name of each district shall be, Road District No. —,
 2 and all acts done by the district, and all actions by or against the district
 3 shall be in its corporate name.

§ 18. Every district so organized shall have corporate capacity to exercise
 2 the powers granted thereto, or necessarily implied and no others. It shall
 3 have power: 1. To sue and be sued. 2. To acquire by purchase, gift or devise,
 5 and to hold property, both real and personal, for the use of its inhabitants, and
 6 again to sell and convey the same. 3. To make all such contracts as may
 7 be necessary in the exercise of the powers of the district.

§ 19. For the purpose of carrying into effect the provisions of this act,
 2 there shall be elected in each district, three commissioners of highways and
 3 one district clerk, (who shall be *ex-officio* treasurer of said board), who shall
 4 hold their respective offices for the term of three years, and until their suc-
 5 cessors are elected and qualified: *Provided*, that of the commissioners of
 6 highways elected at the first election, one shall hold his office for one year,
 7 and one for two years, and the other for three years, to be determined be-
 8 tween them by lot before entering upon the duties of their office, and until
 9 their respective successors are elected and qualified.

§ 20. The county board shall, at least twenty days before the first Tues-
 2 day in March, next after the passage of this act, designate some central and
 3 convenient place in each district for the holding of the first district election,
 4 and shall also appoint three suitable electors of the district as judges of
 5 election. After the canvas of the votes, the judges shall make returns as

6 provided in the general election law of this State, to the county clerk, who
 7 shall make a canvas of the votes, and immediately notify the persons elected
 8 of their election. The expenses of the first election shall be paid by the
 9 county.

§ 21. The county clerk shall thereupon make out notices, stating the time
 2 (which shall be the first Tuesday in March thereafter), and place of holding
 3 the first district election, and the names of the judges of election so appointed,
 4 and deliver such notices to the sheriff of the county, who shall cause the
 5 same to be posted in not less than three of the most public places of the
 6 district, and not less than fifteen days before the time of holding such
 7 election.

§ 22. The district elections shall be conducted in the same manner, and
 2 subject to the same laws and regulations as prescribed for general elections:
 3 *Provided*, that no registration of voters shall be required.

§ 23. All persons possessing the qualifications of voters, who reside within
 2 the boundaries prescribed for such district, and do not reside within the
 3 corporate limits of any village or city, shall be entitled to vote at such
 4 election.

§ 24. The annual election for district officers shall be held on the first
 2 Tuesday of March, of each year, at the place designated by the commis-
 3 sioners of highways. The commissioners shall be *ex-officio* judges, and the
 4 clerk shall be *ex-officio* clerk of all district elections, but before entering
 5 upon the discharge of their duties, they shall take the oath of office pre-
 6 scribed by the general election law of the State. In the absence of any of
 7 the above named officers, the vacancy shall be filled by appointment by the
 8 commissioners present, and in case there is no commissioner present, the
 9 electors present shall appoint such judges.

§ 25. Notice of the time and place of holding any annual or special elec-
 2 tion, shall be given by the district clerk, or, in his absence, by the commis-
 3 sioners, by posting written or printed notices in at least three of the most
 4 public places in the district, at least fifteen days prior to such election.

§ 26. The judges shall, immediately upon closing the polls, make a canvas
 2 of the votes polled in the manner provided by the general election law of
 3 the State, and make a written statement or certificate of the number of
 4 votes cast at such election for each person or proposition voted for, and the
 5 office for which such person received such vote, and shall, within forty-eight
 6 hours thereafter, cause such certificate and poll list, together with the
 7 ballots cast at such election, to be separately sealed up and transmitted to
 8 the district clerk, to be filed and preserved by him.

§ 27. The commissioners of highways, together with some justice of the
 2 peace to be by them selected, and the district clerk, shall, within five days
 3 after any election is held, meet and canvas said returns, and declare the re-
 4 sult of said election. The canvas being completed, a statement of the result
 5 shall be entered at large by the clerk of the meeting in the minutes of the
 6 proceedings, to be kept by him as required by this act, which shall be pub-
 7 licly read by him to the meeting; and such reading shall be deemed notice
 8 of the result of the election, to every person whose name shall be entered
 9 on the pole list as a voter.

§ 28. In case two or more persons shall have an equal number of votes
 2 for the same office, the question of which shall be entitled to the office shall
 3 be decided by lot, under direction of the district clerk, but he shall give
 4 each party at least five days notice of the time and place of drawing lots.

§ 29. The clerk of every meeting held pursuant to section 27, of this act,
 2 shall, within ten days thereafter, transmit to each person elected to any dis-
 3 trict office, a notice of his election. He shall also file in the office of the
 4 county clerk a list of the names of all district officers elected at such elec-
 5 tion, who have qualified, within twenty days after such election shall be
 6 held.

§ 30. No person shall be eligible to any district office unless he shall be a
 2 legal voter, and have been one year a resident of said district.

§ 31. Every person elected or appointed to the office of commissioner of
 2 highways or clerk, before he enters upon the duties of his office, and within ten

3 days after he shall be notified of his election or appointment, shall take and subscribe, before some justice of the peace or district clerk, the oath or affirmation of office prescribed by the constitution, which shall within five days thereafter, be filed in the office of the district clerk.

§ 32. If any person elected or appointed to either of the offices above enumerated shall neglect to take and subscribe such oath, and cause the certificate to be filed as above required, such neglect shall be deemed a refusal to serve. If any person elected or appointed, shall refuse to serve, he shall forfeit to the district the sum of \$25.

§ 33. If any district officer, who is by law required to take the oath of office, shall enter upon the duties of his office before he shall have taken such oath, he shall forfeit to the district the sum of \$50.

§ 34. The clerk, as treasurer, shall receive and have charge of all moneys collected and received for the maintenance of roads and bridges, and for road and ditch damages. He shall pay out said moneys on an order signed by not less than two of the commissioners, and not otherwise, and keep a separate account thereof. He shall execute a bond in double the amount of moneys likely to come into his hands, with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such treasurer; that he will honestly and faithfully account for and pay over, upon the proper orders, all moneys coming into his hands as treasurer, and the balance, if any, to his successor in office. Before receiving these funds he shall give this bond to the district, to be approved by the commissioners of highways, and filed in the office of the county clerk with such approval endorsed thereon: *Provided*, that if from any cause the commissioners of highways shall deem the bond so given insufficient, they may require a new bond: *And, provided, further*, that the commissioners shall have the right to fix any other sum to be required in any new bond so given.

§ 35. The board of commissioners of highways shall have power to remove the district clerk, at any time, for any failure or refusal to execute or comply with any order or requisition of said board, legally made, or for any

4 other improper conduct in the discharge of his duties as clerk or treasurer.
 5 They shall have power, for any failure or refusal as aforesaid, to sue him
 6 upon his bond.

§ 36. If any person elected or appointed to the office of clerk and *ex-officio*
 2 treasurer shall not give such security and take such oath as is required,
 3 within ten days after receiving notice of his election or appointment, such
 4 neglect shall be deemed a refusal to serve.

§ 37. When the term of any commissioner of highways or clerk shall
 2 expire, and other persons shall be appointed to such office, it shall be the
 3 duty of such successor, immediately after he shall have entered upon the
 4 duties of his office, to demand of his predecessor all the books, papers,
 5 moneys and other property under his control, belonging to such office.

§ 38. Whenever either of the officers above named shall resign, or the
 2 office become vacant in anyway, and another person shall be elected or
 3 appointed in his stead, the person so elected or appointed shall make such
 4 demand of his predecessor, or of any person having charge of such books,
 5 papers, moneys or other property.

§ 39. It shall be the duty of every person so going out of office, whenever
 2 thereto required pursuant to the foregoing provisions, to deliver up, on oath,
 3 all the records, books, papers, moneys and other property in his possession
 4 or in his control belonging to the office held by him; which oath may be
 5 administered by the officer to whom such delivery shall be made.

§ 40. Whenever any district shall fail to elect the proper number of dis-
 2 trict officers to which such district may be entitled by law, or when any
 3 person elected to any district office shall fail to qualify, or whenever any
 4 vacancy shall happen in any district, from death, resignation, removal from
 5 the district, or other cause, it shall be the duty of the county board, to fill
 6 such vacancy by certificate under the hand and seal of the county clerk;
 7 and the persons so appointed shall hold their respective offices until the
 8 next annual election, and until their successors are elected and qualified;
 9 and shall have the same powers and be subject to the same duties and pen-
 10 alties as if they had been duly elected by the electors.

§ 41. When any appointment shall be made, as provided in section 40, of
 2 this act, the county clerk shall cause the certificate of appointment to be
 3 forthwith filed in the office of the district clerk, who shall immediately give
 4 notice to each person appointed.

§ 42. Any justice of the peace residing in such district, may, for suffi-
 2 cient cause shown to him, accept the resignation of any district officer of
 3 his district, and whenever he shall accept any such resignation, he shall
 4 forthwith give notice thereof to the district clerk of the district, or in his
 5 absence, to the president of the board of commissioners of highways, who
 6 shall make a minute thereof upon the district records. He shall also
 7 immediately give notice to the county clerk of any vacancy that may exist
 8 in any district office.

§ 43. The district clerk shall have the custody of all records, books and
 2 papers of the district, and he shall duly file all certificates or oaths and
 3 other papers required by law to be filed in his office. He is authorized to
 4 administer oaths and take affidavits in all cases required by law to be
 5 administered or taken by district officers.

§ 44. He shall record in the book of records of his district, the minutes of the
 2 proceedings of every meeting of the board of commissioners of highways held
 3 therein, and shall enter in said book every order or direction, and all by-laws,
 4 rules and regulations made by said board at any meeting. All records and
 5 books required by law to be kept by such clerks, shall be deemed public records
 6 and shall at all times be open to inspection without fee or reward.

§ 45. He shall annually, at the time required by law, certify to the county
 2 clerk the amount of taxes required to be raised for district purposes; and if
 3 any clerk shall refuse or willfully omit to make such return, he shall be fined
 4 for each offense not exceeding \$10.

§ 46. Copies of all papers, duly filed in the office of district clerk, and tran-
 2 scripts from the district records certified by him, shall be evidence in all courts
 3 with like effect as if the originals were produced.

§ 47. The district clerk shall, from time to time, as may be necessary, procure

2 the proper books and stationery for his office, and the cost thereof shall be paid
3 out of the district treasury.

§ 48. It shall be the duty of the district clerk as *ex-officio* treasurer to receive
2 all moneys due the district, and pay out the same as provided in section 34, of
3 this act. He shall also on the second Tuesday of March, present to the board
4 of commissioners of highways an itemized statement of receipts and disburse-
5 ments, which shall be sworn to. The board shall carefully audit the accounts
6 so presented, and if found correct, approve the same and cause such statement
7 to be published as now provided by chapter 102, of the Revised Statutes.

§ 49. The following compensation shall be allowed to the officers provided
2 for by this act: 1. The commissioners of highways shall each receive for
3 each day necessarily employed in the discharge of their duties, the sum of
4 one and a half dollars, upon a sworn statement to be filed by each commis-
5 sioner in the district clerk's office, showing the number of days he was em-
6 ployed, and the kind of employment, and giving the dates thereof. 2. The
7 justice of the peace required, by this act, to assist in canvassing the vote,
8 shall receive the sum of one and a half dollars per day for his services.
9 3. The district clerk shall receive one and a half dollars per day for each
10 day he shall be in attendance at a meeting of the board, and the same
11 amount per day, for the time he shall be employed as clerk of election, or
12 in canvassing the returns of such election. He shall receive no other per
13 diem. In addition to the above he shall also receive fees for the following
14 services, to be paid out of the district funds, except where otherwise spec-
15 ified: For serving notice of election or appointment upon district officers,
16 as required by this act, twenty-five cents each. For posting up notices re-
17 quired by law, twenty-five cents each. For copying any record in his office
18 and certifying to the same, ten cents for every one hundred words, to be
19 paid by the person applying for the same. Such clerk shall also, as treas-
20 urer, receive one per cent. on all moneys received, not received from his pre-
21 decessor, and one per cent. on all moneys paid out, not paid to his successor.

§ 50. All roads in this State which have been laid out in pursuance of any
2 law of this State, or of the territory of Illinois, or which have been estab-

3 lished by dedication or used by the public as a highway for twenty years,
 4 and which have not been vacated in pursuance of law, are hereby declared
 5 to be public highways.

§ 51. The commissioners of highways shall have charge of the roads and
 2 bridges of their respective districts, and it shall be their duty to keep the same in
 3 repair and to improve them so far as practicable. Whenever the available
 4 means at their disposal will permit, they shall construct permanent roads, begin-
 5 ning where most needed. The work on roads shall be done timely and in ac-
 6 cordance with the best known methods of road-making, by proper grading
 7 and thorough drainage by tile or otherwise, as may be expedient, and by the
 8 application of gravel, rock, or other material.

§ 52. In order to insure efficiency, they may employ a general superintendent
 2 outside their own body to work and to execute their orders; or they may divide
 3 the work, let contracts, appoint overseers, or employ such other agencies as
 4 they may deem expedient and most to the interest of the district.

§ 53. In letting contracts, employing labor, or in purchasing tools, machinery
 2 or materials, the commissioners shall not have directly or indirectly any per-
 3 sonal pecuniary interest in connection therewith.

§ 54. Their duties shall include:

2 1. To lay out, alter, widen or vacate roads as hereinafter provided, and to
 3 exercise such care and superintendence over roads and bridges as the public
 4 good may require.

5 2. To cause such roads used as highways as have been laid out or dedicated
 6 to public use, but not sufficiently described, and such as have been used for
 7 twenty years, but not recorded, to be ascertained, described and entered of
 8 record in the district clerk's office.

9 3. To purchase for use upon highways such necessary tools, implements
 10 and machinery as they may think proper.

11 4. To take possession of and keep under shelter, when not in use, all
 12 scrapers, plows and other tools belonging to their district wherever the same
 13 may be found, and not allow the same to go to waste, and not lend the same
 14 except to persons employed by them to work the roads by contract or other-
 15 wise.

16 5. To cause to be erected and kept in repair at the forks or crossing place
 17 of the most important public roads, a post and guide board, with plain inscrip-
 18 tion thereon, in letters and figures, giving directions and distances to the most
 19 noted places to which such road may lead; to prevent thistles, burdock, cockle-
 20 burs, mustard, yellow-dock, Indian mallow and gympson weed from seeding,
 21 and to extirpate the same so far as practicable; and to prevent all rank growth
 22 of vegetation in the public highway; and the said commissioners may, at their
 23 discretion, adopt any suitable and convenient mode of supplying water in
 24 troughs conveniently situated on the public highway for public use.

§ 55. Whenever the commissioners are about to lay a tile drain along a public
 2 road they shall have power to contract with the owners or occupants of
 3 adjoining lands to lay larger tile than would be necessary to drain the road,
 4 and to permit connection therewith by such contracting parties to drain
 5 their lands.

§ 56. Where willow hedges, or a line of willow trees have been planted along
 2 the margin of the road, so as to render tiling impracticable, the commissioners
 3 may contract with the owner for their destruction; and they shall be destroyed
 4 before tiling; the planting of these trees hereafter on the margin of roads
 5 is hereby declared a public nuisance.

§ 57. The commissioners of the several districts are hereby authorized
 2 to enter upon any land adjacent to any highway in their district for
 3 the purpose of opening any ditch, drain, necessary sluice or water-
 4 course, whenever it shall be necessary to open a water-course from any high-
 5 way to the natural water-courses, and to dig, open and clean ditches upon
 6 said land for the purpose of carrying off the water from said highways, or to
 7 drain any slough or pond on said highway: *Provide*, that unless the owner
 8 of such land or his agent shall first consent to the cutting of such ditches, the
 9 commissioners shall apply to any justice of the peace in the county in which
 10 such road is situated, for a summons, directed to any constable of said county,
 11 commanding him to summon the said owner to appear before the said justice,
 12 at a time and place specified in such summons, not less than five nor more than
 13 fifteen days from the date thereof, for the purpose of having the damage

14 assessed which such owner may sustain by reason of the digging or opening
 15 of such ditches or drains. The said summons shall be under the hand of such
 16 justice, and be served in the same manner as a summons is now served in civil
 17 actions before justices of the peace. On the return of such summons, a venire
 18 shall be issued for a jury, as in other cases in the trial of civil actions before
 19 justices of the peace, which jury shall assess such damages and render a ver-
 20 dict therefor. Whereupon judgment shall be entered by the justice
 21 in accordance with the verdict. If either party shall feel aggrieved by
 22 such judgment, an appeal may be taken as in other cases; provided bond is
 23 filed within five days from the time of entering of the judgment. If no ap-
 24 peal is perfected within five days the amount so awarded shall be paid before
 25 the commissioners shall be warranted and empowered to enter upon
 26 such lands and dig, open and clean such drains, ditches and water-
 27 courses as aforesaid, for the purposes contemplated in this act. If the de-
 28 fendant appeals, the commissioners, by depositing with the justice
 29 the amount of said judgment and costs recovered, to be by him trans-
 30 mitted, the papers in said cause to the court to which such appeal has
 31 been taken, but they shall be required to pay whatever judgment
 32 may be finally recovered. The commissioners are authorized to use the
 33 poll-tax and road money of their district for the payment of such judgments:
 34 *Provided*, that not more than one-half of such jury shall be residents of the
 35 district which is liable to pay the damages: *Provided, further*, that in case the
 36 owner of said lands is a non-resident, service may be had by leaving a copy
 37 with the occupant or agent, or by notice in the samemanner as prescribed in
 38 section 90, of this act.

§ 58. In grading roads, whenever practicable, it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and it shall be unlawful to ride or drive on such walk; and any person so
 4 offending shall be subject to a fine of five dollars for each offense. Corner
 5 stones marking sectional or other corners, shall not be disturbed, except to so
 6 grade the road that these, if in the line of travel, shall not rise above the
 7 surface, and corner stakes shall be replaced by good and substantial stones.

8 In grading public roads if a ditch is made at the junction of roads, or at
 9 the entrance of gates or other openings of border premises, the road
 10 authorities shall construct good and sufficient culverts, or other convenient
 11 crossings.

§ 59. The commissioners shall meet with the district clerk on the second
 2 Tuesday in March, and organize by electing one of their number president;
 3 and they shall proceed to consult on their duties, and how best to exercise
 4 their powers as enumerated in section 52, of this act. The commissioners
 5 shall also meet on the second Tuesdays of June, September and December,
 6 at some central and convenient place, for the transaction of any business
 7 that may come before them. A majority of such commissioners shall con-
 8 stitute a quorum to do business, and, in the absence of the chairman, a
 9 chairman *pro tem* may be appointed. The place of holding the meetings of
 10 the commissioners shall be as near permanent as possible. Special meetings
 11 may be called by the president of the board, or any two members.

§ 60. At the meeting to be held on the second Tuesday in March, they
 2 shall make a list of the able-bodied men in their district between the ages
 3 of twenty-one and fifty years, and deliver the same to their treasurer on or
 4 before the first day of April in each year, and assess at such meeting
 5 against each person upon such list a sum not less than one dollar nor more
 6 than five dollars, as a poll-tax for highway purposes, to be paid to such
 7 treasurer by the first Monday in June, of each year: *Provided*, that paupers
 8 idiots, lunatics and such others as are exempt by law, shall not be compelled
 9 to pay a poll-tax for highway purposes: *Provided*, also, that this list shall
 10 not include persons within the limits of cities or incorporated villages. The
 11 treasurer shall, within ten days after such list is delivered to him, cause
 12 written or printed notices to be given to each person so assessed, notifying
 13 him of the time when, and place where such tax must be paid, and if this poll-
 14 tax shall not be paid, by the first Monday of June, in such year, it shall be
 15 the duty of the commissioners, in the name of the town, to bring suit
 16 therefor against such person before some justice of the peace having
 17 jurisdiction thereof: summons shall be issued and return made in the same

18 manner as provided by law in other cases. If judgment is rendered against
 19 defendant, the court shall find in such judgment that the same is for poll-tax
 20 unpaid, and shall endorse the same on the execution, if one is issued. No prop
 21 erty belonging to the defendant shall be exempt from levy to satisfy such
 22 execution.

§ 61. The constable to whom such execution shall be delivered, shall
 2 forthwith collect the moneys therein mentioned. He shall pay the money
 3 so collected, when collected, to the justice of the peace who issued the execu-
 4 tion, who is hereby required to pay the same to the treasurer of the road and
 5 bridge fund.

§ 62. At the meeting to be held in September, the commissioners shall de-
 2 termine what per cent shall be levied on the property of the district for
 3 roads and bridges, which levy shall not exceed one hundred cents on each
 4 one hundred dollars: *Provided*, that the county board shall make the first
 5 levy provided for by this act.

§ 63. The commissioners at said meeting shall make a certificate of the rate
 2 percentum finally agreed upon, by virtue of section sixty-two of this act, and shall
 3 cause such certificate to be delivered to the district clerk, to be kept by him on file
 4 for the inspection of the inhabitants of said district, and the district clerk shall at
 5 once certify the said levy to the county clerk, to be by him extended sep-
 6 erately upon the collector's book of said district, to be collected as other taxes, and
 7 when collected shall be paid to the treasurer of the commissioners by the col-
 8 lector, as fast as the same is collected, except such rate per cent. as shall be
 9 allowed for collecting the same.

§ 64. When damages have been agreed upon, allowed or awarded for laying
 2 out, widening, altering or vacating roads, or for ditching to drain roads, the
 3 amounts of such damages shall be included in the first succeeding tax levy, pro-
 4 vided for in section 62, of this act; and when collected shall constitute and be
 5 held by the treasurer of the commissioners as a separate fund to be paid out to
 6 the parties entitled to receive the same.

§ 65. Whenever damages have been allowed for roads or ditches the com-
 3 missioners may draw orders, on the treasurer, payable only out of the tax to

3 be levied for such roads or ditches, when the money shall be collected or
4 received to be given to persons damaged.

§ 66. At the meeting to be held in December the commissioners shall make
2 a report in writing, to be filed with the district clerk, who shall record such
3 reports at large in the minutes of said meeting, of:

4 1. The amount of poll-tax assessed, how much paid, and how much de-
5 linquent.

6 2. The amount of road and bridge money received by them, and a full
7 and detailed statement as to how and where expended, and the balance, if
8 any, unexpended.

9 3. The amount paid for damages in laying out, altering, widening or
10 vacating roads, and right of way for ditches.

11 4. The amount of liabilities incurred and not paid; and if such liabilities are
12 undetermined, they shall be estimated.

13 5. Any additional matter concerning the roads and bridges of the district
14 they may think expedient and proper to make.

§ 67. When it is necessary to construct or repair any bridge over a stream,
2 or to construct or repair any other distinct and expensive work on a public road
3 in any district, or on, or near to, or across a district line, in which work the dis-
4 trict is wholly or in part responsible, and the cost of which will be more than
5 one hundred dollars, and the levy of the road and bridge tax for that year in
6 said district was for the full amount of one hundred cents on each one
7 hundred dollars, allowed by law for the commissioners to raise, the major
8 part of which is needed for the ordinary repair of roads and bridges,
9 the commissioners may petition the county board for aid; and if the fore-
10 going facts shall appear, the county board may, if deemed to the interests
11 of the public, appropriate from the county treasury a sum sufficient to con-
12 struct said bridge or other work. The expenditure of these funds shall be
13 made by the county commissioners, and any surplus funds appropriated by
14 the county board, after the completion of the work, shall be paid into, or
15 lapse into the county treasury.

§ 68. Bridges over streams which divide districts or counties, and bridges over streams on roads on county or district lines, shall be built and repaired at the expense of such districts or counties: *Provided*, that for the building and maintaining of bridges over streams near county or district lines, in which both are interested, the expense of building and maintaining any such bridges shall be borne by both counties or districts in such portion as shall be just and equitable between said districts or counties, taking into consideration the taxable property in each, the location of the bridge and the advantage of each to be determined by the commissioners in making contracts for the same as provided for in section 69, of this act.

§ 69. For the purpose of building or keeping in repair such bridge or bridges, it shall be lawful for the commissioners of such adjoining districts, whether they be in the same or different counties, or county boards of such adjoining counties to enter into joint contracts, and such contracts may be enforced in law or equity, against such commissioners jointly, the same as if entered into by individuals, and such commissioners or county boards may be proceeded against, jointly, by any parties interested in such bridge or bridges, for any neglect of duty in reference to such bridge or bridges, or for any damage growing out of such neglect.

§ 70. Whenever the commissioners of either of such adjoining districts shall refuse to enter into such joint contracts to build and maintain such bridge or bridges, the commissioners of the other district may submit such question to an annual or call a special election to vote upon the proposition as to whether such district shall proceed to build and maintain such bridge or bridges at its own expense. If such proposed bridge shall require a greater sum of money to complete it than is available to the commissioners by other means, they may also submit the proposition to such annual or special election to borrow money to build such bridge. The voting shall be by ballot, and if simply the question as to the building of the bridge is submitted, if the voter desires to vote for building the bridge, his ballot shall state "to build bridge," and if he desires to vote against the proposition, his ballot shall state "against the proposition to build bridge." If the proposition to

14 borrow money to build such bridge shall be included in the notice, the maxi-
 15 mum amount to be borrowed shall be stated in the same, and the voter desiring
 16 to vote affirmatively shall state on his ballot "to build bridge and to borrow
 17 money to construct the same;" and if he desires to vote negatively, his ballot
 18 shall state "against the proposition to build bridge and to borrow money to
 19 construct the same." Such special election shall be called and held in the
 20 same manner as is provided for in section 25, 26 and 27, of this
 21 act. If the proposition to build such bridge shall receive a majority of all the
 22 votes cast at such election, the commissioners shall then have the power to con-
 23 tract for the building of such bridge and approaches thereto the same as if the
 24 bridge was entirely located in such district, and shall have the power to acquire
 25 by purchase, lease or gift, any private bridge already built, suited to their pur-
 26 pose, or any land upon which to build the approaches, or may use for the pur-
 27 pose of such approaches any public highway that may lead to the bank of the
 28 stream where said bridge is to be built on either side of said stream, whether
 29 such highway may be within the limits of said district or county or not. If the
 30 proposition to build such bridge and borrow money to build the same shall
 31 receive a majority of the votes cast at such special or annual election, the com-
 32 missioners, to be countersigned by the district clerk, shall issue from
 33 time to time, as the work progresses, a sufficient amount in the aggregate of
 34 the bonds of said district for the purpose of building such bridge and the
 35 approaches thereto, or to purchase any private bridge already built, as the case
 36 may be; said bonds to be of such denominations, bear such rate of interest, not
 37 exceeding eight per cent. upon such time, and be disposed of as the necessities
 38 and conveniences of said commissioners may require. Such bonds shall not be
 39 sold for less than their par value, and such district shall provide for the payment
 40 of such bonds and interest by appropriate taxation.

§ 71. If the commissioners of either of such district, or county boards of
 2 such counties after reasonable notice in writing from the commissioners of
 3 any other such district or county boards of such counties, shall neglect or refuse
 4 to build or repair any such bridge when any contract or agreement has been
 5 made in regard to the same, it shall be lawful for the commissioners or county

6 board so giving notice to build or repair the same to recover, by suit, one-half
 7 (or such amount as shall have been agreed upon) of the expense of so build-
 8 ing or repairing such bridge, with costs of suit and interest from the time of
 9 the completion thereof, from the commissioners or county board so neglecting
 10 or refusing.

§ 72. The commissioners are hereby authorized to contract for the construc-
 2 tion and repairing of roads and bridges, but when such contracts are for a
 3 sum exceeding \$50.00, they shall give at least ten days' notice of time and place
 4 of letting such contract by posting notices in at least ten public places in and
 5 contiguous to the district, describing the work and time of completion: *Provided*,
 6 in cases where bridges have been suddenly destroyed on an important high-
 7 way, then such commissioners may privately contract for replacing such
 8 bridge to an amount not exceeding \$150.

§ 73. Contracts for constructing and repairing roads and bridges on district
 2 lines, or across streams on district lines shall be let by the commissioners of
 3 the two districts, who shall meet and act as one body when taking action upon
 4 the letting of such contracts for the construction or repair of such roads
 5 and bridges, or acceptance of the work when such contracts are for the
 6 expenditure of a sum exceeding \$100, they shall advertise for bids in the
 7 same manner as provided in the preceding section, except that the notices
 8 shall be posted in and contiguous to the two districts.

§ 74. At such public letting, as provided for in the preceding section,
 2 the commissioners shall have the right to reject any and all bids if they deem it
 3 to the best interests of the district, and no contract shall be considered as let unless
 4 the contractor shall, within ten days after the letting, enter into contract and
 5 file a bond with two good and sufficient sureties with the commissioners, in the
 6 penal sum of double the value of the amount of the contract, payable to the
 7 commissioners of the district, upon failure to comply with the conditions of his or
 8 their contract.

§ 75. All contracts for the construction or repair of roads, or building or re-
 2 pairing of bridges, shall be made payable as soon as the work in said contract
 3 is completed and accepted by the commissioners.

§ 76. All public roads established under the provisions of this act, shall be
2 of the width of sixty feet: *Provided*, short roads, not exceeding two miles in
3 length, may be of a width not less than forty feet nor more than sixty feet,
4 and roads called public and private roads may be of the width as in this act
5 provided. All public roads laid out as herein provided shall be opened within
6 two years from the time of laying out the same. If not opened within the time
7 aforesaid, the same shall be deemed to be vacated.

§ 77. The commissioners may alter, widen or vacate any road, or lay out
2 any new road in their respective districts, when petitioned by any number of land
3 owners, not less than twelve, residing in such districts and within three miles of
4 the road so to be altered, widened, vacated or laid out.

§ 78. Whenever any person or persons desire a change, re-location or vaca-
2 tion of any county or State road, or the opening of any new road, notice of
3 such intended application shall be given by putting up advertisements in
4 writing, in at least three of the most public places in the district in which
5 said road shall be located, and by filing a copy of such advertisement with
6 the district clerk, at least twenty days previous to the sitting of the board
7 at which application shall be made. Said application shall be made by peti-
8 tion as provided in section 77, of this act, which petition shall set forth in
9 writing, a description of the road, and what part thereof is to be al-
10 tered, widened or vacated, and if for a new road, the names of the owners
11 of lands, if known, and if not known it shall be so stated, over which the
12 road is to pass, the points at or near which it is to commence, its general
13 course, and the place at or near where it is to terminate, and the date
14 when such application will be made.

§ 79. Whenever the commissioners shall receive any such petition, they shall
2 fix a time when and place where they will meet to examine the route of
3 such road, and to hear reasons for or against the altering, widening, vacating
4 or laying out the same; and they shall give at least ten days' notice of the time
5 and place of such meeting, by posting up notices in three of the most public
6 places in the district in the vicinity of the road to be widened, altered,
7 vacated or laid out.

§ 80. The commissioners may, by public announcement, and by the posting
2 of a notice at the time and place named for the first meeting, adjourn the
3 meeting from time to time, but not for a longer period than ten days in all;
4 and shall, at the first or such adjourned meeting, within said ten days, de-
5 cide and publicly announce whether they will grant or refuse the prayer of
6 the petition, and shall indorse upon or annex to the petition a brief memor-
7 andum of such decision, to be signed by the commissioners, and filed
8 within five days in the office of the district clerk. Such decision
9 shall be subject to revocation, in case the prayer of the petition is granted, in
10 the manner hereinafter provided. In case the commissioners refuse to grant
11 the prayer of the petition, they shall within five days thereafter, file the same,
12 so indorsed or with such decision annexed thereto, in the office of the district
13 clerk.

§ 81. If the petition is simply for the vacation of a road, and the commis-
2 sioners, or a majority of them, shall, at such meeting decide that the prayer of
3 the petitioners should be granted, they shall order such road to be vacated,—a
4 copy of which order, together with the petition, shall be by them filed with
5 the district clerk; such order to be so filed within five days after the date of
6 such decision.

§ 82. If such petition is for the establishment of a new road, or the alteration
2 or widening of an existing road, and the commissioners or a majority of them,
3 shall be of the opinion that the prayer of the petitioners should be granted,
4 they shall cause a survey and plat of such road to be made by a competent
5 surveyor, who shall report such survey and plat to said commissioners, giving
6 the courses and distances, and specifying the land over which said road is to
7 pass—in which they may make such changes between the termini of the road
8 described in the petition as the convenience and interest of the public, in
9 their judgment, may require.

§ 83. Upon the petition of twelve land owners residing in the district where
2 the road is situated, it shall be the duty of the commissioners, within a
3 reasonable time, to employ a competent surveyor and have any road
4 designated in such petition in their several districts re-surveyed, and plats thereof

5 made, which plats and surveys shall be by them filed for record in the office of
 6 the district clerk: *Provided*, that this section shall not apply where the same has
 7 been already done, unless the exact location of such road is uncertain.

§ 84. The establishment of a new road on the route of a road already estab-
 2 lished according to law, shall not vacate the road previously established, unless
 3 such vacation is prayed for in the petition, and so declared in the order estab-
 4 lishing a new road.

§ 85. In all cases where a petition is presented to the board of highway
 2 commissioners, praying for a change, alteration, re-location or vacation of
 3 any road, or the laying out of a new road, as provided for in this act, if
 4 there shall be remonstrances presented against granting the same, it
 5 shall be the duty of said board to give due consideration both to the peti-
 6 tion and remonstrance, and grant or refuse the prayer of such petitioners,
 7 as in their discretion shall be just and proper.

§ 86. They shall also, before they order any road to be established,
 2 altered, widened or vacated, ascertain as hereinafter provided, the aggre-
 3 gate amount of damages which the owner or owners of land over which
 4 the road is to pass shall be entitled to, by reason of the location, altera-
 5 tion or vacation of such road: *Provided, however*, that in case an appeal
 6 is taken from the assessment of damages before the justice of the peace, the
 7 commissioners may in their discretion, make an order laying out, widening
 8 altering or vacating such road, either before or after such appeal is determined,
 9 in the manner hereinafter provided.

§ 87. The damages sustained by the owner or owners of the
 2 land, by reason of the establishment, alteration, widening or vacation
 3 of any road, may be agreed upon by the owners of such lands, if com-
 4 petent to contract, and the commissioners, or they may be released
 5 by such owners—in which case the agreement or release shall be in writing, and
 6 shall be filed and recorded with the copy of the order establishing, altering
 7 widening or vacating such road, in the district clerk's office, and shall be a per-
 8 petual bar against such owners, their grantees and assigns, for all further
 9 claims for such damages.

§ 88. In case such damages are not released or agreed upon as in the preceding section specified, the commissioners shall within ten days from the date of the meeting at which it was decided to grant the prayer of the petition make a certificate that they are about to establish, widen, vacate or alter a public road, describing such road, vacation, widening or alteration, and the land over or on which such road is to be established, altered, widened or vacated, and naming the owners of such lands, if known, and if not known stating the fact, and asking for a jury to assess the damages of such owners, and shall present such certificate to some justice of the peace of the county, who on receipt of the same shall within five days issue a summons against the land owners concerned, which summons shall be in the following form as nearly as the case will admit, viz:

STATE OF ILLINOIS, } ss.
 County: }

The People of the State of Illinois, to any constable of said county, greeting:

You are hereby commanded to summon to appear before me at on the day of ... at ... o'clock, and prove to a jury then and there to be empannelled, such damages as he or they may sustain on account of the establishing, altering, widening or vacating the road described in a certificate of the commissioners of Road District No., in said county, which certificate is now on file in my office.

Given under my hand and seal this day of 18..

..... Justice of the Peace.

in which summons the justice shall specify a certain place, day and hour for the trial, not less than six nor more than fifteen days from the date of such summons, at which time and place such land owners are to appear. Such summons shall be served at least three days before the time of trial mentioned therein, by reading the same to the land owners therein named.

§ 89. If any such owner is an infant, such summons shall be served by delivering a copy to the infant, and its guardian, if any, if no guardian, the person with

8 whom he or she resides. If any owner is a lunatic or habitual drunkard, having
 4 a conservator, or insane, by delivering a copy to his conservator, if any.

§ 90. In case it shall appear, either from the certificate of commissioners, the
 2 affidavit of any person, or the return of any officer to whom the notice may be
 3 delivered for service, that there are non-resident or unknown owner or owners,
 4 who cannot be found and served within the county, such justice shall also
 5 cause notice to be delivered to the occupant of such lands, and the contents and
 6 nature thereof to be made known to such occupant, and also to be posted in
 7 three of the most public places in the vicinity of such proposed road or altera-
 8 tion, at least ten days before the time fixed in the summons for hearing proof
 9 of damages, stating the time and place, as stated in said summons, and describ-
 10 ing the road to be established or altered, and the lands for which damages are
 11 to be assessed; and in case service is made upon any owner by posting notices as
 12 above, provided the justice shall continue said hearing for a period not exceed-
 13 ing twelve days.

§ 91. Such justice shall also forthwith issue a venire directed to any con-
 2 stable of the county, to summons six persons having the qualifications of jurors
 3 to appear at such time and place as may be designated for the proving of
 4 such damages, whose competency shall be determined the same as in other
 5 civil cases before justices of the peace. Either party to the case shall have
 6 the same right of challenge as in other civil cases; and any deficiency in the
 7 number of jurors, from whatever cause, shall be supplied by summoning other
 8 persons residing in such county: *Provided*, that not more than one-half of such
 9 jury shall be residents of the district liable to pay the damages assessed in the
 10 case. *Provided, further*, that changes of venue may be granted, if applied for
 11 before the commencement of the trial, in the same manner as in other civil
 12 causes before justices of the peace.

§ 92. The jury shall appear before and be sworn by such justice faith-
 2 fully and impartially to assess the damage of each of the owners specified
 3 in such certificate, or those of them whose claims are then to be adjusted, ac-
 4 cording to law, to the best of their judgment and understanding; and all parties
 5 in interest shall be entitled to subpoenas and other writs and papers, and the

6 trial shall be conducted as in other civil cases.

§ 93. The case shall be entitled "commissioners of Road District No.—va."
 2 (whoever may be summoned as land owners), and the jury shall hear such law-
 3 ful evidence touching the question of such damages as may be presented to
 4 them; and shall also, on request of a majority of the commissioners or owners of
 5 lands whose damages are to be determined, in a body visit and examine the
 6 proposed location, alteration, widening or vacation of such road, and the lands
 7 to be taken and affected thereby, and make a written verdict specifying the
 8 amount of damages, if any, which every such owner shall recover, and return
 9 the same to such justice, to be by him entered on his docket in the nature of a
 10 judgment: *Provided*, that in estimating the damages, except damages to land
 11 actually taken for a road, the jury may consider the benefits conferred; but no
 12 benefits enjoyed in common by the owners of surrounding property shall be
 13 considered in estimating damages.

§ 94. At the next regular meeting after the total amount of damages shall have
 2 been ascertained, either by release or agreement of the parties, or by assessment
 3 before a justice of the peace and a jury, in the manner hereinbefore provided,
 4 the commissioners shall finally determine upon the laying out, altering, widen-
 5 ing or vacation of such road.

§ 95. In cases where the damages are not wholly released or agreed
 2 upon, and the commissioners shall be of the opinion that the dam-
 3 ages assessed by the jury are manifestly too high, and that the pay-
 4 ment of the same would be an unreasonable burden upon the tax-payers
 5 of the district, the commissioners may revoke all proceedings had upon the peti-
 6 tion by a written order to that effect; and such revocation shall have the effect
 7 to annul all such proceedings and assessments, releases and agreements, in re-
 8 spect to damages growing out of the proceedings upon the petition: *Provided*,
 9 upon the final determination of the commissioners of highways, or
 10 upon appeal being determined, and a copy of all such proceedings being
 11 filed in the district clerk's office, no other proceeding shall be had by the commis-
 12 sioners of highways, nor any petition entertained in regard to the same road or
 13 petition for one year from the date of filing such copies of proceedings. And

14 after two trials as aforesaid, if the decision be the same, no other petition shall
 15 be entertained for the same until the expiration of three years from the filing
 16 of the last proceedings."

§ 96. In case the commissioners shall not revoke such prior proceedings
 2 they shall make an order, to be signed by them, declaring such road so altered,
 3 widened or laid out a public highway, and which order shall contain or have
 4 annexed thereto a definite description of the line of such road, together
 5 with a plat thereof. The commissioners shall, within five days from the date
 6 of such order, cause the same, together with the report of the surveyor, the
 7 petition and the releases agreements or assessments in respect to damages,
 8 to be deposited and filed in the office of the district clerk, who shall
 9 note upon such order the date of such filing. It shall be the duty
 10 of such clerk, after the time for appeal has expired, and in the
 11 case of such appeal, after the same shall have been determined, in case the
 12 prayer of the petition is granted, to record such order, together with the plat
 13 of the surveyor, in a proper book to be kept for that purpose.

§ 97. In cases where the damages claimed by the land-owners for the right
 2 of way are released, or are agreed upon between the land-owners and commission-
 3 ers, the commissioners may, at their first meeting or at any adjourned meeting,
 4 examine the route of the road, and cause a survey thereof to be made, and
 5 make their order establishing, altering, widening or vacating the road, accord-
 6 ing to the prayer of the petition, and return the same within the time and in
 7 the manner specified in this act.

§ 98. Any person or persons interested in the establishment, alteration,
 2 widening or vacation of any road in this State, are hereby authorized to offer
 3 inducements to the commissioners of highways for the establishment, alter-
 4 ation, widening or vacation of any such road, by entering into contract
 5 with said commissioners, conditioned upon such establishment, alteration,
 6 widening or vacating, to pay money or other valuable thing to the district
 7 for the benefit of the road and bridge funds of the same; or to perform any
 8 labor, or to construct any road, bridge or culvert on any road which said
 9 person or persons desire to have established, widened or altered. And such

10 contracts, in writing, made with said commissioners, shall be deemed good
 11 and valid in law, and may be enforced by said commissioners or their suc-
 12 cessors in office, before any court having jurisdiction.

§ 99. The records of the district clerk, or a certified copy of such record
 3 and papers, relating to the establishment, location, alteration, widening or
 3 vacation of any road, shall be *prima facie* evidence in all cases that all the
 4 necessary antecedent provisions had been complied with, and that the action
 5 of the commissioners or other persons and officers, in regard thereto, was
 6 regular in all respects.

§ 100. Whenever a public road is ordered to be established or altered, ac-
 2 cording to the provisions of this act, which road shall pass through or on
 3 enclosed land, the commissioners of highways shall give the owner or occu-
 4 pant of such land sixty days' notice in writing, to remove the fences. If
 5 such owner or occupant does not remove the fence or fences within sixty
 6 days after such notice, the commissioners shall have the same removed, and
 7 direct the road to be opened and worked; the owner of such premises shall
 8 pay all necessary costs of removal, and the same may be recovered by the com-
 9 missioners before any justice of the peace of the county.

§ 101. Roads for private and public use, of the width of three rods or less,
 2 may be laid out from one dwelling or plantation of an individual to any
 3 public road, or from one public road to another, or from a lot of land to
 4 a public road, on petition to the commissioners by any person directly
 5 interested; such petition shall be of the same form and subject to the same
 6 notice as provided in section 78, of this act. The commissioners on receiving
 7 such petition, shall have power to lay out the road as asked for therein, to
 8 which end they shall proceed and examine into the merits of the case, and
 9 shall be governed in their proceedings by the rules and regulations pre-
 10 scribed in this act in relation to public roads. The jury shall consider the
 11 damages that may result to parties from said proposed road, and shall assess
 12 the damages to each individual owner of lands affected thereby. The
 13 amount of such damages shall be paid by the persons benefited thereby to
 14 the extent and in proportion that they are benefited, be determined and

15 declared by the jury. The remainder of the amount of damages over and above
 16 that to be paid by the parties as aforesaid, shall be paid by the district as in
 17 other cases. The amount of damages to be paid by individuals shall be paid to
 18 the parties entitled thereto before the road shall be opened for use. An
 19 appeal may be taken on the question of the propriety and necessity of such
 20 road as in other cases.

§ 102. If such road or cartway shall not be opened by the petitioners within
 2 two years from the time of making the order for the location of the same, such
 3 order shall be regarded as rescinded.

§ 103. When such road or cartway is proposed to pass over inclosed lands the
 2 owners of such lands shall have a reasonable time, not exceeding eight months,
 3 to be designated by the commissioners, to harvest crops and remove fences
 4 which may be on such lands before such road or cartway shall be opened.

§ 104. Public roads may be established, altered, widened or vacated on dis-
 2 trict or county lines, or from one district into another, in the same manner as
 3 other public roads, except that in such case a copy of the petition shall be posted
 4 up in and presented to the commissioners of each district interested; said petition
 5 to be as in other cases, and signed by not less than twelve land owners residing
 6 in either county within three miles of the road so to be altered, widened, located
 7 or laid out; whereupon it shall be the duty of the commissioners of the several
 8 districts to meet and act as one body, in the same time and manner as in other
 9 cases, in considering the petition, viewing the premises, adjusting damages and
 10 making all orders in reference to such proposed road alteration, widening or
 11 vacation, and a majority of all such commissioners must concur in all such
 12 orders; and a copy of all final orders and plats and papers shall be filed and
 13 recorded in each of the counties and districts interested.

§ 105. The commissioners shall also, in case a new road is established, allot to
 2 each of such districts the part of such road which each of such districts shall
 3 open and keep in repair, and the part so allotted shall be considered as wholly
 4 belonging to such district. They shall also divide the expenses and damages
 5 which may accrue from such location, widening or alteration, and if they cannot

6 agree, they shall refer the matter to three disinterested land owners, as arbitra-
7 tors, whose decision shall be final.

§ 106. Any person or persons interested in the decision of the commissioners
2 in determining to or in refusing to lay out, alter, widen or vacate any road or re-
3 voking any previous order or decision relative to any road, or in the verdict
4 of any jury in assessing damages in opening, altering or vacating any road, may
5 appeal from such decision to the county or circuit court, within ten days
6 after such decision has been rendered, by filing a written petition with the
7 justice of the peace, or the commissioners of highways, from whose decision
8 they desire to appeal, asking for an appeal, and stating on what grounds
9 such appeal is taken.

§ 107. Any parties taking an appeal from the award or the decision of the
2 highway commissioners, or the verdict of the jury, shall file a sufficient bond
3 with the justice of the peace, or district clerk, before taking such appeal,
4 conditioned for the payment of the cost of such appeal, in case the decision
5 of the commissioners or the verdict of the jury is in all things sustained,
6 or the appeal dismissed; if the award of the highway commissioners, or ver-
7 dict of the jury shall not be sustained, the district shall pay the cost of such
8 appeal.

§ 108. When the commissioners of one district disagree with the commissioners
2 of an adjoining district, in regard to the laying out of a new road, or the altera-
3 tion, widening or vacation of an old road on any county or district line, appeals
4 may be taken from such decision in the same manner as where the road is
5 wholly in one district.

§ 109. All roads heretofore laid out upon district or county lines, shall be
2 divided, allotted and kept in repair in the manner as hereinbefore directed.
3 Any public road that is or shall hereafter be laid out on a county or district line,
4 shall be held to be a road on a county or district line, although, owing to the topo-
5 graphy of the ground along said county or district line, or at the crossing of any
6 stream of water, the proper authorities, in establishing or locating such road,
7 may have located a portion of the same to one side of such county or district line.

§ 110. Roads may be laid out and opened upon the line between this and any adjoining State, as provided in the preceding sections, whenever the laws of such adjoining State shall be applicable.

§ 111. If the commissioners shall willfully refuse or neglect to perform any of the duties enjoined upon them by this act, they shall severally forfeit not less than ten dollars, nor more than fifty dollars, and may be proceeded against, in the name of the district, severally or jointly, for the recovery of such forfeiture before any justice of the peace in the proper county having jurisdiction.

§ 112. The commissioners of highways may, when they shall deem it advisable, put up and maintain in conspicuous places, at each end of any bridge, a notice with the following words in large characters: "Five dollars fine for riding or driving on this bridge faster than a walk." If any person shall ride or drive over any bridge upon which such notice has been placed, faster than a walk, he shall forfeit to the district in which such bridge is located five dollars for every such offense.

§ 113. In addition to the notices now required by law, in proceedings for laying out, locating or opening of public roads, similar notices shall be served on any railroad company, across or alongside of whose railroad it may be proposed to locate a public road: *Provided*, that this act shall not apply to the proceedings for opening streets in towns or cities.

§ 114. The notices, as provided by this act, shall be served by delivering a copy thereof to the station agent of any such railroad company nearest to the proposed location of such projected public road.

§ 115. That an act entitled "An act in regard to gateways, roads and bridges in counties not under township organization," approved and in force April 18, 1878, and all other acts or parts of acts inconsistent herewith, be and the same are hereby repealed: *Provided*, that the repeal of said act shall not affect any suit or proceedings pending, or impair any right existing at the time this act shall take effect: *And provided, also*, that the supervisors in office, when this act takes effect, shall continue in office till the expiration of their terms, and the

8 road tax and road labor then due shall not be released from its obligations, and
9 the delinquent list shall be duly returned and collected as now provided, the
10 avails of which shall be paid to the treasurer of the commissioners.



1. Reported to House April 27, 1883.
2. First reading April 30, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 24, 1883.

A BILL

For An Act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges, in counties not under township organization, and to repeal an act and parts of acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That whenever any persons, traveling with any carriages,
3 shall meet on any turnpike road or public highway in this State, the persons
4 so meeting shall seasonably turn their carriages to the right of the beaten
5 track, so as to permit each carriage to pass without interfering or interrupt-
6 ing, under the penalty of five dollars for every neglect or offense, to be
7 recovered by the party aggrieved: *Provided*, this section shall not be con-
8 strued to apply to a case where it is impracticable from the nature of the
9 ground for the driver of the carriage or wagon to turn to the right of the
10 beaten track.

§ 2. No person owning any carriage, running or traveling upon any road
2 in this State for the conveyance of passengers, shall knowingly employ, or
3 continue in employment, any person to drive such carriage who is addicted
4 to drunkenness or the excessive use of spirituous liquors; and if any such
5 owner shall violate the provisions of this section, after he shall have had
6 notice, and reasonable proof that such driver is addicted to drunkenness, he
7 shall forfeit at the rate of five dollars per day for all the time during

8 which thereafter he shall keep such driver in his employment, to be sued
 9 for by any person, and collected in any court having competent jurisdic-
 10 tion; and the court may allow a portion of said penalty, not exceeding \$25,
 11 to be retained by such complainant, as a compensation for his services and
 12 expenses; the balance to be paid to the road treasury of the district where
 13 such offense was committed. Any person driving his own team, or the team
 14 of another, on the public highway, when intoxicated, shall be subject to a
 15 fine of not less than three dollars, nor more than twenty-five dollars, for
 16 each offense.

§ 3. If any driver, while actually employed in driving any such carriage,
 2 shall be guilty of intoxication to such a degree as to endanger the safety of the
 3 passengers in the carriage, it shall be the duty of the owner of such carriage on
 4 receiving written notice of the fact, signed by any one of said passengers, and
 5 certified by him on oath, forthwith to discharge such driver from his employ-
 6 ment; and every such owner who shall retain, or have in his employ, within
 7 thirty days after the receipt of such notice, any driver who shall have been so
 8 intoxicated, shall forfeit at the rate of five dollars per day for the time during
 9 which he shall keep any such driver in his employment after receiving such
 10 notice, to be sued for and applied as directed in section two of this act.

§ 4. No person driving any carriage upon any turnpike road or public high-
 2 way within this State, with or without passengers therein, shall run his horses
 3 or carriage, or permit the same to run, upon any occasion, or for any purpose
 4 whatever, except in case of necessity; and every person who shall offend against
 5 the provisions of this section shall be deemed guilty of a misdemeanor, and,
 6 on conviction thereof, shall be fined not exceeding \$100, or imprisoned not ex-
 7 ceeding sixty days, at the discretion of the court.

§ 5. It shall not be lawful for the driver of any carriage, used for the
 2 purpose of conveying passengers for hire, to leave the horses attached thereto
 3 while passengers remain therein, without making such horses fast with a
 4 sufficient halter, rope or chain, or by placing the lines in the hands of some
 5 other person, so as to prevent their running; and if any such driver shall
 6 offend against the provisions of this section, he shall forfeit the sum of \$20,

7 to be recovered by action, to be commenced within six months; and unless the
8 amount of such recovery be paid forthwith, execution shall be immediately
9 issued therefor.

§ 6. The owner of every carriage running upon any turnpike, road or
2 public highway, for the conveyance of passengers, shall be liable, jointly or
3 severally, to the party injured, in all cases, for all injuries or damages done
4 by any person in the employment of such owners as a driver, while driving
5 such carriage, to any person, or to the property of any person, and that
6 whenever the act occasioning such injury or damage be willful, negligent
7 or otherwise, in the same manner as such driver would be liable. Any driver
8 of any mail stage coach, or any other vehicle for the conveyance of passen-
9 gers, willfully offending against the provisions of this act, shall be deemed
10 guilty of a misdemeanor, and, on conviction thereof, shall be fined not ex-
11 ceeding \$300, or imprisonment not exceeding four months.

§ 7. The term "carriage," as used in this act, shall be construed to include
2 stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle
3 used for the transportation of passengers and goods, or either of them.

§ 8. Nothing contained in this act shall interfere with or affect any law con-
2 cerning hackney coaches or carriages in any of the cities of this State, nor
3 interfere with nor affect the laws or ordinances of any such city for the licens-
4 ing or regulating such coaches or carriages. Justices of the peace shall have
5 jurisdiction in all cases arising under this act, where the penalty does not ex-
6 ceed their jurisdiction.

§ 9. For destroying or defacing any guide-board, post, or milestone, or any
2 notice or direction put up on any bridge or otherwise, by or with the authority
3 of the commissioners of highways, the offender shall forfeit a sum not less
4 than three dollars, nor more than fifty dollars.

§ 10. If any person shall injure or obstruct a public road by felling a tree or
2 trees in, upon or across the same, or by placing or leaving any other obstruction
3 thereon, or encroaching upon the same with any fence, or by plowing or digging
4 any ditch or other opening thereon, or by turning a current of water so as to
5 saturate or wash the same, or shall leave the cuttings of any hedge thereon, for

6 more than ten days, they shall forfeit for every such offense a sum not less than
 7 three dollars, nor more than ten dollars; and in case of placing any obstruction
 8 on the highway, an additional sum of not exceeding three dollars per day for
 9 every day he shall suffer such obstruction to remain after he has been ordered
 10 to remove the same by any of the commissioners; complaint to be made by any
 11 person feeling himself aggrieved: *Provided*, this section shall not apply to any
 12 person who shall lawfully fell any tree for use, and will immediately remove
 13 the same out of the road, nor to any person through whose land a public road
 14 may pass, who shall desire to drain his land, and shall give due notice to the
 15 commissioners of such intention: *And provided, further*, that the commissioners,
 16 after having given reasonable notice (to the owners) of the obstruction, or per-
 17 son so obstructing or plowing or digging ditches upon such road, of the obstruc-
 18 tion, may remove any such fence or other obstruction, fill up any such ditch or
 19 excavation, except ditches necessary to the drainage of an adjoining farm,
 20 emptying into a ditch upon the highway, and recover the necessary cost of such
 21 removal from such owner or other person obstructing such road aforesaid,
 22 to be collected by said commissioners before any justice of the peace having
 23 jurisdiction.

§ 11. It is hereby declared unlawful for any land owner, renter or other
 2 person to deposit in a public road, weeds, trash, garbage or any offensive mat-
 3 ter, and any person so offending shall be liable to a penalty of not less than
 4 three dollars, nor more than ten dollars; but this shall not apply where
 5 proper deposits may be made in good faith and in a proper manner to repair
 6 the roads.

§ 12. If any person shall purposely destroy or injure any sidewalk, public
 2 bridge, culvert or causeway, or remove any of the timber or plank thereof,
 3 or obstruct the same, he shall forfeit a sum not less than three nor more
 4 than one hundred dollars, and shall be liable for all damages occasioned
 5 thereby and all necessary costs for rebuilding or repairing the same.

§ 13. All suits for the recovery of any fine or penalty under this act, shall
 2 be brought in the name of the district in which the offense is committed, be-
 3 fore any justice of the peace or police magistrate within the district, who shall

4 have jurisdiction in such cases to the extent of their jurisdiction in other
 5 cases; and it shall be the duty of the commissioners to seasonably prosecute
 6 for all fines and penalties under this act; but in case of a failure of said
 7 officers to so prosecute, complaint may be made by any person: *Provided*,
 8 said person shall, before bringing suit in the name of the district, give a bond
 9 for costs, as is provided for in the case of non-residents. But whenever any
 10 person shall enter complaint to any road commissioner it shall be the duty
 11 of such commissioner to at once proceed to investigate as to the reasons of
 12 such complaint, and if such complaint is found to be just he shall at once
 13 proceed to prosecution: *Provided, further*, that the commissioners may sue
 14 and be sued on all contracts entered into by them for the construction and re-
 15 pairing of roads and bridges, and the judgment in any such case against the
 16 commissioners shall be a district charge.

§ 14. All fines recovered under the provisions of this act, unless otherwise
 2 provided, shall be paid over to the treasurer of the commissioners of the
 3 district where the offense is committed, to be expended upon the roads and
 4 bridges in said district.

§ 15. Any person owning, using or occupying lands on both sides of any pub-
 2 lic highway, shall be entitled to the privilege of making a crossing under said
 3 highway for the purpose of letting his cattle and other domestic animals cross
 4 said road: *Provided*, said person shall erect, at his own expense, a good and
 5 substantial bridge, with good railings on each side thereof, and build an em-
 6 bankment, of easy grade, on either side of said bridge; said bridge to be not
 7 less than sixteen feet wide, and to be approved by the commissioners of the
 8 district in which said bridge is built, and the same to be kept constantly in good
 9 repair by the owner or occupant of said land, the construction subject always
 10 to the consent and approval of the commissioners of said district: *And provided*,
 11 *further*, that in case such crossing is made on any water-way or natural channel
 12 for water and where a culvert or bridge is maintained as required for road pur-
 13 poses, said owners or occupants shall not be required to pay for or construct
 14 any more of said crossing than the additional cost of such crossing over and
 15 above the necessary cost of a suitable culvert or bridge for road purposes at
 16 such place.

§ 16. It shall be the duty of the county boards of the several counties at their first session after this act shall be in force and take effect, to divide the county into road districts, where it is practicable, to be composed of territory not less than a congressional township; (fractional or whole townships may be attached to other fractional or whole townships). The districts so formed shall be designated by some number.

§ 17. The corporate name of each district shall be, Road District No. — and all acts done by the district, and all actions by or against the district shall be in its corporate name.

§ 18. Every district so organized shall have corporate capacity to exercise the powers granted thereto, or necessarily implied and no others. It shall have power: 1. To sue and be sued. 2. To acquire by purchase, gift or devise and to hold property, both real and personal, for the use of its inhabitants, and again to sell and convey the same. 3. To make all such contracts as may be necessary in the exercise of the powers of the district.

§ 19 For the purpose of carrying into effect the provisions of this act, there shall be elected in each district, three commissioners of highways and one district clerk, (who shall be *ex-officio* treasurer of said board), who shall hold their respective offices for the term of three years, and until their successors are elected and qualified: *Provided*, that of the commissioners of highways elected at the first election, one shall hold his office for one year, and one for two years, and the other for three years, to be determined between them by lot before entering upon the duties of their office, and until their respective successors are elected and qualified.

§ 20. The county board shall, at least twenty days before the first Tuesday in March, next, after the passage of this act, designate some central and convenient place in each district for the holding of the first district election, and shall also appoint three suitable electors of the district as judges of election. After the canvass of the votes, the judges shall make returns as provided in the general election law of this State, to the county clerk, who shall make a canvass of the votes, and immediately notify the persons elected

8 of their election. The expenses of the first election shall be paid by the
9 county.

§ 21. The county clerk shall thereupon make out notices, stating the time
2 (which shall be the first Tuesday in March, thereafter), and place of holding
3 the first district election, and the names of the judges of election so appointed,
4 and deliver such notices to the sheriff of the county, who shall cause the
5 same to be posted in not less than three of the most public places of the
6 district, and not less than fifteen day before the time of holding such
7 election.

§ 22. The district elections shall be conducted in the same manner, and
2 subject to the same laws and regulations as prescribed for general elections:
3 *Provided*, that no registration of voters shall be required.

§ 23. All persons possessing the qualifications of voters, who reside within
2 the boundaries prescribed for such district, and do not reside within the
3 corporate limits of any village or city, shall be entitled to vote at such
4 election.

§ 24. The annual election for district officers shall be held on the first
2 Tuesday of March, of each year, at the place designated by the commis-
3 sioners of highways. The commissioners shall be *ex-officio* judges, and the
4 clerk shall be *ex-officio* clerk of all district elections, but before entering
5 upon the discharge of their duties, they shall take the oath of office pre-
6 scribed by the general election law of the State. In the absence of any of
7 the above named officers, the vacancy shall be filled by appointment by the
8 commissioners present, and in case there is no commissioner present, the
9 electors present shall appoint such judges.

§ 25. Notice of the time and place of holding any annual or special elec-
2 tion, shall be given by the district clerk, or, in his absence, by the commis-
3 sioners, by posting written or printed notices in at least three of the most
4 public places in the district, at least fifteen days prior to such election.

§ 26. The judges shall, immediately upon closing the polls, make a canvass
2 of the votes polled in the manner provided by the general election law of
3 the State, and make a written statement or certificate of the number of

4 votes cast at such election for each person or proposition voted for, and the
 5 office for which such person received such vote, and shall, within forty eight
 6 hours thereafter, cause such certificate and poll list, together with the
 7 ballots cast at such election, to be separately sealed up and transmitted to
 8 the district clerk, to be filed and preserved by him.

§ 27. The commissioners of highways, together with some justice of the
 2 peace to be by them selected, and the district clerk, shall within five days
 3 after any election is held, meet and canvass said returns, and declare the re-
 4 sult of said election. The canvass being completed, a statement of the result
 5 shall be entered at large by the clerk of the meeting in the minutes of the
 6 proceedings, to be kept by him as required by this act, which shall be pub-
 7 licly read by him to the meeting; and such reading shall be deemed notice
 8 of the result of the election, to every person whose name shall be entered
 9 on the poll list as a voter.

§ 28. In case two or more persons shall have an equal number of votes
 2 for the same office, the question of which shall be entitled to the office shall
 3 be decided by lot, under direction of the district clerk, but he shall give each
 4 party at least five days' notice of the time and place of drawing lots.

§ 29. The clerk of every meeting held pursuant to section 27 of this act,
 2 shall, within ten days thereafter, transmit to each person elected to any dis-
 3 trict office, a notice of his election. He shall also file in the office of the
 4 county clerk a list of the names of all district officers elected at such elec-
 5 tion, who have qualified, within twenty days after such election shall be
 6 held.

§ 30. No person shall be eligible to any district office unless he shall be a
 2 legal voter, and have been one year a resident of said district.

§ 31. Every person elected or appointed to the office of commissioner of
 2 highways or clerk, before he enters upon the duties of this office, and within ten
 3 days after he shall be notified of his election or appointment, shall take
 4 and subscribe, before some justice of the peace or district clerk, the oath or
 5 affirmation of office prescribed by the constitution, which shall within five
 6 days thereafter, be filed in the office of the district clerk.

§ 32. If any person elected or appointed to either of the offices above
 2 enumerated shall neglect to take and subscribe such oath, and cause the cer-
 3 tificate to be filed as above required, such neglect shall be deemed a refusal
 4 to serve. If any person elected or appointed, shall refuse to serve, he shall
 5 forfeit to the district the sum of \$25.

§ 33. If any district officer, who is by law required to take the oath of
 2 office, shall enter upon the duties of his office before he shall have taken such
 3 oath, he shall forfeit to the district the sum of \$50.

§ 34. The clerk, as treasurer, shall receive and have charge of all moneys
 2 collected and received for the maintenance of roads and bridges, and for road
 3 and ditch damages. He shall pay out said moneys on an order signed
 4 by not less than two of the commissioners, and not otherwise, and keep a
 5 separate account thereof. He shall execute a bond in double the amount of
 6 moneys likely to come into his hands, with good and sufficient security for
 7 all moneys coming into his hands by virtue of this act, conditioned that he
 8 will faithfully discharge his duties as such treasurer; that he will honestly
 9 and faithfully account for and pay over, upon the proper orders, all moneys
 10 coming into his hands as treasurer, and the balance, if any, to his successor
 11 in office. Before receiving these funds he shall give this bond to the dis-
 12 trict, to be approved by the commissioners of highways, and filed in the
 13 office of the county clerk with such approval endorsed thereon: *Provided,*
 14 that if from any cause the commissioners of highways shall deem the bond
 15 so given insufficient, they may require a new bond: *And, provided, further*
 16 that the commissioners shall have the right to fix any other sum to be
 17 required in any new bond so given.

§ 35. The board of commissioners of highways shall have power to remove
 2 the district clerk, at any time, for any failure or refusal to execute or com-
 3 ply with any order or requisition of said board, legally made; or for any
 4 other improper conduct in the discharge of his duties as clerk or treasurer.
 5 They shall have power, for any failure or refusal as aforesaid, to sue him upon
 6 his bond.

§ 36. If any person elected or appointed to the office of clerk and *ex-officio*

2 treasurer shall not give such security and take such oath as is required,
 3 within ten days after receiving notice of his election or appointment, such
 4 neglect shall be deemed a refusal to serve.

§ 37. When the term of any commissioner of highways or clerk shall
 2 expire, and other persons shall be appointed to such office, it shall be the
 3 duty of such successor, immediately after he shall have entered upon the
 4 duties of his office, to demand of his predecessor all the books, papers, moneys
 5 and other property under his control, belonging to such office.

§ 38. Whenever either of the officers above named shall resign, or the
 2 office become vacant in any way, and another person shall be elected or
 3 appointed in his stead, the person so elected or appointed shall make such
 4 demand of his predecessor, or of any person having charge of such books,
 5 papers, moneys or other property.

§ 39. It shall be the duty of every person so going out of office, whenever
 2 thereto required pursuant to the foregoing provisions, to deliver up, on oath,
 3 all the records, books, papers, moneys and other property in his possession
 4 or in his control belonging to the office held by him; which oath may be
 5 administered by the officer to whom such delivery shall be made.

§ 40. Whenever any district shall fail to elect the proper number of dis-
 2 trict officers to which such district may be entitled by law, or when any
 3 person elected to any district office shall fail to qualify, or whenever any
 4 vacancy shall happen in any district, from death, resignation, removal from
 5 the district or other cause, it shall be the duty of the county board to fill
 6 such vacancy by certificate under the hand and seal of the county clerk;
 7 and the persons so appointed shall hold their respective offices until the
 8 next annual election, and until their successors are elected and qualified;
 9 and shall have the same powers and be subject to the same duties and penal-
 as if they had been duly elected by the electors.

§ 41. When any appointment shall be made, as provided in section 40, of
 2 this act, the county clerk shall cause the certificate of appointment to be
 3 forthwith filed in the office of the district clerk, who shall immediately give
 4 notice to each person appointed.

§ 42. Any justice of the peace residing in such district, may, for sufficient cause shown to him, accept the resignation of any district officer of his district, and whenever he shall accept any such resignation, he shall forthwith give notice thereof to the district clerk of the district, or in his absence, to the president of the board of commissioners of highways, who shall make a minute thereof upon the district records. He shall also immediately give notice to the county clerk of any vacancy that may exist in any district office.

§ 43. The district clerk shall have the custody of all records, books and papers of the district, and he shall duly file all certificates or oaths and other papers required by law to be filed in his office. He is authorized to administer oaths and take affidavits in all cases required by law to be administered or taken by district officers.

§ 44. He shall record in the book of records of his district, the minutes of the proceedings of every meeting of the board of commissioners of highways held therein, and shall enter in said book every order or direction, and all by-laws, rules and regulations made by said board at any meeting. All records and books required by law to be kept by such clerks, shall be deemed public records and shall at all times be open to inspection without fee or reward.

§ 45. He shall annually, at the time required by law, certify to the county clerk the amount of taxes required to be raised for district purposes; and if any clerk shall refuse or willfully omit to make such return, he shall be fined for each offense not exceeding \$10.

§ 46. Copies of all papers, duly filed in the office of district clerk, and transcripts from the district records certified by him, shall be evidence in all courts with like effect as if the originals were produced.

§ 47. The district clerk shall, from time to time, as may be necessary, procure the proper books and stationery for his office, and the cost thereof shall be paid out of the district treasury.

§ 48. It shall be the duty of the district clerk as *ex-officio* treasurer to receive all moneys due the district, and pay out the same as provided in section 34, of this act. He shall also on the second Tuesday of March, present to the board

4 of commissioners of highways an itemized statement of receipts and disburse-
 5 ments, which shall be sworn to. The board shall carefully audit the accounts
 6 so presented, and if found correct, approve the same and cause such statement
 7 to be published as now provided by chapter 102, of the Revised Statutes.

§ 49. The following compensation shall be allowed to the officers provided
 2 for by this act: 1. The commissioners of highways shall each receive for
 3 each day necessarily employed in the discharge of their duties, the sum of
 4 one and a half dollars, upon a sworn statement to be filed by each commis-
 5 sioner in the district clerk's office, showing the number of days he was em-
 6 ployed, and the kind of employment, and giving the dates thereof. 2. The
 7 justice of the peace required, by this act, to assist in canvassing the vote,
 8 shall receive the sum of one and a half dollars per day for his services.
 9 3. The district clerk shall receive one and a half dollars per day for each
 10 day he shall be in attendance at a meeting of the board, and the same
 11 amount per day, for the time he shall be employed as clerk of election, or
 12 in canvassing the returns of such election. He shall receive no other per-
 13 diem. In addition to the above he shall also receive fees for the following
 14 services, to be paid out of the district funds, except where otherwise spec-
 15 ified: For serving notice of election or appointment upon district officers,
 16 as required by this act, twenty-five cents each. For filing any paper re-
 17 quired to be filed in his office, ten cents each. For posting up notices re-
 18 quired by law, twenty-five cents each. For copying any record in his office
 19 and certifying to the same, ten cents for every one hundred words, to be
 20 paid by the person applying for the same. Such clerk shall also, as treas-
 21 urer, receive one per cent. on all moneys received, not received from his pre-
 22 decessor, and one per cent. on all moneys paid out, not paid to his successor.

§ 50. All roads in this State which have been laid out in pursuance of any
 2 law of this State, or of the territory of Illinois, or which have been estab-
 3 lished by dedication or used by the public as a highway for twenty years,
 4 and which have not been vacated in pursuance of law, are hereby declared to
 5 be public highways.

§ 51. The commissioners of highways shall have charge of the roads and
 2 bridges of their respective districts, and it shall be their duty to keep the same

3 in repair and to improve them so far as practicable. Whenever the available
 4 means at their disposal will permit, they shall construct permanent roads, begin-
 5 ning where most needed. The work on roads shall be done timely and in ac-
 6 cordance with the best known methods of road-making, by proper grading and
 7 thorough drainage by tile or otherwise, as may be expedient, and by the
 8 application of gravel, rock, or other material.

§ 52. In order to insure efficiency, they may employ a general superintendent
 2 outside their own body to work and to execute their orders; or they may divide
 3 the work, let contracts, appoint overseers, or employ such other agencies as
 4 they may deem expedient and most to the interest of the district.

§ 53. In letting contracts, employing labor or in purchasing tools, machinery
 2 or materials, the commissioners shall not have directly or indirectly any personal
 3 pecuniary interest in connection therewith.

§ 54. Their duties shall include:

2 1. To lay out, alter, widen or vacate roads as hereinafter provided, and to
 3 exercise such care and superintendence over roads and bridges as the public
 4 good may require.

5 2. To cause such roads used as highways as have been laid out or dedicated
 6 to public use, but not sufficiently described, and such as have been used for
 7 twenty years, but not recorded, to be ascertained, described and entered of record
 8 in the district clerk's office.

9 3. To purchase for use upon highways such necessary tools, implements and
 10 machinery as they may think proper.

11 4. To take possession of and keep under shelter, when not in use, all
 12 scrapers, plows and other tools belonging to their district wherever the same
 13 may be found, and not allow the same to go to waste, and not lend the same
 14 except to persons employed by them to work the roads by contract or other-
 15 wise.

16 5. To cause to be erected and kept in repair at the forks or crossing place
 17 of the most important public roads, a post or guide board, with plain inscrip-
 18 tion thereon, in letters and figures, giving directions and distances to the most
 19 noted places to which such road may lead; to prevent thistles, burdock, cockle-

20 bura, mustard, yellow-dock, Indian mallow and gymseon weed from seeding,
 21 and to extirpate the same so far as practicable, and to prevent all rank growth
 22 of vegetation in the public highway; and the said commissioners may, at their
 23 discretion, adopt any suitable and convenient mode of supplying water in
 24 troughs, conveniently situated on the public highway, for public use.

§ 55. Whenever the commissioners are about to lay a tile drain along a public
 2 road they shall have power to contract with the owners or occupants of
 3 adjoining lands to lay larger tile than would be necessary to drain the road,
 4 and to permit connection therewith by such contracting parties to drain
 5 their lands.

§ 56. Where willow hedges, or a line of willow trees have been planted along
 2 the margin of the road, so as to render tiling impracticable, the commissioners
 3 may contract with the owner for their destruction; and they shall be destroyed
 4 before tiling; the planting of these trees hereafter on the margin of roads is
 5 hereby declared a public nuisance.

§ 57. The commissioners of the several districts are hereby authorized
 2 to enter upon any land adjacent to any highway in their district for
 3 the purpose of opening any ditch, drain, necessary sluice or water-
 4 course whenever it shall be necessary to open a water-course from any high-
 5 way to the natural water-courses, and to dig, open and clean ditches upon
 6 said land for the purpose of carrying off the water from said highways, or to
 7 drain any slough or pond on said highway: *Provided*, that unless the owner
 8 of such land or his agent shall first consent to the cutting of such ditches, the
 9 commissioners shall apply to any justice of the peace in the county in which
 10 such road is situated, for a summons, directed to any constable of said county,
 11 commanding him to summons the said owner to appear before the said justice,
 12 at a time and place specified in such summons, not less than five nor more than
 13 fifteen days from the date thereof, for the purpose of having the damage
 14 assessed with such owner may sustain by reason of the digging or opening
 15 of such ditches or drains. The said summons shall be under the hand of such
 16 justice, and be served in the same manner as a summons is now served in civil
 17 actions before justices of the peace. On the return of such summons, a venire

18 shall be issued for a jury, as in other cases in trial of civil actions before
 19 justices of the peace, which jury shall assess such damages and render a ver-
 20 dict therefor. Whereupon judgment shall be entered by the justice
 21 in accordance with the verdict. If either party shall feel aggrieved by
 22 such judgment, an appeal may be taken as in other cases; provided bond is
 23 filed within five days from the time of entering the judgment. If no ap-
 24 peal is perfected within five days the amount so awarded shall be paid before
 25 the commissioners shall be warranted and empowered to enter upon
 26 such lands and dig open and clean such drains, ditches and water-
 27 courses as aforesaid, for the purposes contemplated in this act. If the de-
 28 fendant appeals, the commissioner, by depositing with the justice
 29 the amount of said judgment and costs recovered, to be by him trans-
 30 mitted, the papers in said cause to the court to which such appeal has
 31 been taken; but they shall be required to pay whatever judgment
 32 may be finally recovered. The commissioners are authorized to use the
 33 poll-tax and road money of their district for the payment of such judgments:
 34 *Provided*, that not more than one-half of such jury shall be residents of the
 35 district which is liable to pay the damages: *Provided, further*, that in case the
 36 owner of said lands is a non-resident, service may be had by leaving a copy
 37 with the occupant or agent, or by notice in the same manner as prescribed in
 38 section 90 of this act.

§ 58. In grading roads, whenever practicable, it shall be done so as to leave
 2 not less than one-tenth of the width of the road on each side for a sidewalk,
 3 and it shall be unlawful to ride or drive on such walk, and any person so
 4 offending shall be subject to a fine of five dollars for each offense. Corner
 5 stones marking sectional or other corners, shall not be disturbed, except to so
 6 grade the road that these, if in the line of travel, shall not rise above the
 7 surface, and corner stakes shall be replaced by good and substantial stones.
 8 In grading public roads if a ditch is made at the junction of roads, or at
 9 the entrance of gates or other openings of border premises, the road
 10 authorities shall construct good and sufficient culverts, or other convenient
 11 crossings.

§ 59. The commissioners shall meet with the district clerk on the second Tuesday in March, and organize by electing one of their number president; and they shall proceed to consult on their duties, and how best to exercise their powers as enumerated in section 52 of this act. The commissioners shall also meet on the second Tuesdays of June, September and December, at some central and convenient place, for the transaction of any business that may come before them. A majority of such commissioners shall constitute a quorum to do business, and, in the absence of the chairman, a chairman *pro tem* may be appointed. The place of holding the meetings of the commissioners shall be as near permanent as possible. Special meetings may be called by the president of the board, or any two members.

§ 60. At the meeting to be held on the second Tuesday in March, they shall make a list of the able-bodied men in their district between the ages of twenty-one and fifty years, and deliver the same to their treasurer on or before the first day of April in each year, and assess at such meeting against each person upon such list a sum not less than one dollar nor more than five dollars, as a poll-tax for highway purposes, to be paid to such treasurer by the first Monday in June, of each year: *Provided*, that paupers, idiots, lunatics and such others as are exempt by law, shall not be compelled to pay a poll-tax for highway purposes: *Provided, also*, that this list shall not include persons within the limits of cities or incorporated villages. The treasurer shall, within ten days after such list is delivered to him, cause written or printed notices to be given to each person so assessed, notifying him of the time when, and place where such tax must be paid, and if this poll-tax shall not be paid, by the first Monday of June, in such year, it shall be the duty of the commissioners, in the name of the town, to bring suit therefor against such person before some justice of the peace having jurisdiction thereof; summons shall be issued and return made in the same manner as provided by law in other cases. If judgment is rendered against defendant, the court shall find in such judgment that the same is for poll-tax unpaid, and shall endorse the same on the execution, if one is issued. No property belonging to the defendant shall be exempt from levy to satisfy such execution.

§ 61. The constable to whom such execution shall be delivered, shall
 2 forthwith collect the moneys therein mentioned. He shall pay the money
 3 so collected, when collected, to the justice of the peace who issued the execu-
 4 tion, who is hereby required to pay the same to the treasurer of the road and
 5 bridge fund.

§ 62. At the meeting to be held in September, the commissioners shall de-
 2 termine what per cent. shall be levied on the property of the district for roads
 3 and bridges, which levy shall not exceed one hundred cents on each one hun-
 4 dred dollars: *Provided*, that the county board shall make the first levy pro-
 5 vided for by this act.

§ 63. The commissioners at said meeting shall make a certificate of the rate
 2 per centum finally agreed upon, by virtue of section sixty-two of this act, and
 3 shall cause such certificate to be delivered to the district clerk, to be kept by
 4 him on file for the inspection of the inhabitants of said district, and the district
 5 clerk shall at once certify the said levy to the county clerk, to be by him ex-
 6 tended separately upon the collector's book of said district, to be collected as
 7 other taxes, and when collected shall be paid to the treasurer of the commis-
 8 sioners by the collector, as fast as the same is collected, except such rate per
 9 cent. as shall be allowed for collecting the same.

§ 64. When damages have been agreed upon, allowed or awarded for laying
 2 out, widening, altering or vacating roads, or for ditching to drain roads, the
 3 amounts of such damages shall be included in the first succeeding tax levy
 4 provided for in section 62 of this act; and when collected shall constitute and be
 5 held by the treasurer of the commissioners as a separate fund to be paid out
 6 to the parties entitled to receive the same.

§ 65. Whenever damages have been allowed for roads or ditches, the com-
 2 missioners may draw orders on the treasurer payable only out of the tax to
 3 be levied for such roads or ditches, when the money shall be collected or
 4 received to be given to persons damaged.

§ 66. At the meeting to be held in December, the commissioners shall make
 2 a report in writing, to be filed with the district clerk, who shall record such
 3 reports at large in the minutes of said meeting, of:

- 4 1. The amount of poll-tax assessed, how much paid and how much delin-
- 5 quent.
- 6 2. The amount of road and bridge money received by them and a full
- 7 and detailed statement as to how and where expended, and the balance, if any,
- 8 unexpended.
- 9 3. The amount paid for damages in laying out, altering, widening or vaca-
- 10 ting roads and right of way for ditches.
- 11 4. The amount of liabilities incurred and not paid; and if such liabilities
- 12 are undetermined, they shall be estimated.
- 13 5. Any additional matter concerning the roads and bridges of the district
- 14 they may think expedient and proper to make.

§ 67. When it is necessary to construct or repair any bridge over a stream,
 2 or to construct or repair any other distinct and expensive work on a public road
 3 in any district, or on, or near to, or across a district line, in which work the dis-
 4 trict is wholly or in part responsible, and the cost of which will be more than
 5 one hundred dollars, and the levy of the road and bridge tax for that year in
 6 said district was for the full amount of one hundred cents on each one
 7 hundred dollars, allowed by law for the commissioners to raise, the major
 8 part of which is needed for the ordinary repair of roads and bridges,
 9 the commissioners may petition the county board for aid; and if the fore-
 10 going facts shall appear, the county board may, if deemed to the interests
 11 of the public, appropriate from the county treasury a sum sufficient to con-
 12 struct said bridge or, other work. The expenditure of these funds shall be
 13 made by the county commissioners, and any surplus funds appropriated by
 14 the county board, after the completion of the work, shall be paid into, or
 15 lapse into the county treasury.

§ 68. Bridges over streams which divide districts or counties, and bridges
 2 over streams on roads on county or district lines, shall be built and repaired at
 3 the expense of such districts or counties: *Provided*, that for the building and
 4 maintaining of bridges over streams near county or district lines, in which both
 5 are interested, the expense of building and maintaining any such bridges shall
 6 be borne by both counties or districts in such proportion as shall be just and equit-

7 able between said districts or counties, taking into consideration the taxable prop-
8 erty in each, the location of the bridge and the advantage of each to be deter-
9 mined by the commissioners in making contracts for the same as provided for
10 in section 69 of this act.

§ 69. For the purpose of building or keeping in repair such bridge or bridges,
2 it shall be lawful for the commissioners of such adjoining districts, whether they
3 be in the same or different counties, or county boards of such adjoining coun-
4 ties to enter into joint contracts, and such contracts may be enforced in law or
5 equity, against such commissioners jointly, the same as if entered into by indi-
6 viduals, and such commissioners or county boards may be proceeded against,
7 jointly, by any parties interested in such bridge or bridges, for any neglect
8 of duty in reference to such bridge or bridges, or for any damage growing out
9 of such neglect.

§ 70. Whenever the commissioners of either of such adjoining district shall
2 refuse to enter into such joint contracts to build and maintain such bridge or
3 bridges, the commissioners of the other district may submit such question to an
4 annual or call a special election to vote upon the proposition as to whether
5 such district shall proceed to build and maintain such bridge or
6 bridges at its own expense. If such proposed bridge shall require
7 a greater sum of money to complete it than is available to the com-
8 missioners by other means, they may also submit the proposition to such annual
9 or special election to borrow money to build such bridge. The voting shall
10 be by ballot, and if simply the question as to the building of the bridge is sub-
11 mitted, if the voter desires to vote for building the bridge, his ballot shall state
12 "to build bridge," and if he desires to vote against the proposition, his ballot
13 shall state "against the proposition to build bridge." If the proposition to
14 borrow money to build such bridge shall be included in the notice, the maxi-
15 mum amount to be borrowed shall be stated in the same, and the voter desiring
16 to vote affirmatively shall state on his ballot "to build bridge and to borrow
17 money to construct the same;" and if he desires to vote negatively, his ballot
18 shall state "against the proposition to build bridge and to borrow money to
19 construct the same." Such special election shall be called and held in the

20 same manner as is provided for in sections 25, 26 and 27 of this
21 act. If the proposition to build such bridge shall receive a majority of all the
22 votes cast at such election, the commissioners shall then have the power to con-
23 tract for the building of such bridge and approaches thereto the same as if the
24 bridge was entirely located in such district, and shall have the power to acquire
25 by purchase, lease or gift, any private bridge already built, suited to their pur-
26 pose, or any land upon which to build the approaches, or may use for the pur-
27 pose of such approaches any public highway that may lead to the bank of the
28 stream where said bridge is to be built on either side of said stream, whether
29 such highway may be within the limits of said district or county or not. If the
30 proposition to build such bridge and borrow money to build the same shall
31 receive a majority of the votes cast at such special or annual election, the com-
32 missioners, to be countersigned by the district clerk, shall issue from
33 time to time, as the work progresses, a sufficient amount in the aggregate of
34 the bonds of said district for the purpose of building such bridge and the
35 approaches thereto, or to purchase any private bridge already built, as the case
36 may be; said bonds to be of such denominations, bear such rate of interest, not
37 exceeding eight per cent. upon such time, and be disposed of as the necessities
38 and conveniences of said commissioners may require. Such bonds shall not be
39 sold for less than their par value, and such district shall provide for the payment
40 of such bonds and interest by appropriate taxation.

§ 71. If the commissioners of either of such districts, or county boards of
2 such counties after reasonable notice in writing from the commissioners of
3 any other such district or county boards of such counties, shall neglect or refuse
4 to build or repair any such bridge when any contract or agreement has been
5 made in regard to the same, it shall be lawful for the commissioners or county
6 board so giving notice to build or repair the same to recover, by suit, one-half
7 (or such amount as shall have been agreed upon) of the expense of so build-
8 ing or repairing such bridge, with costs of suit and interest from the time of
9 the completion thereof, from the commissioners or county board so neglecting
10 or refusing.

§ 72. The commissioners are hereby authorized to contract for the construction and repairing of roads and bridges, but when such contracts are for a sum exceeding \$50.00, they shall give at least ten days' notice of time and place of letting such contract by posting notices in at least ten public places in and contiguous to the district, describing the work and time of completion: *Provided*, in cases where bridges have been suddenly destroyed on an important highway, then such commissioners shall privately contract for replacing such bridge to an amount not exceeding \$150.

§ 73. Contracts for constructing and repairing roads and bridges on district lines, or across streams on district lines shall be let by the commissioners of the two districts, who shall meet and act as one body when taking action upon the letting of such contracts for the construction or repair of such roads and bridges, or acceptance of the work when such contracts are for the expenditure of a sum exceeding \$100, they shall advertise for bids in the same manner as provided in the preceding section, except that the notices shall be posted in and contiguous to the two districts.

§ 74. At such public letting, as provided for in the preceding section, the commissioners shall have the right to reject any and all bids if they deem it to the best interests of the district, and no contract shall be considered as let unless the contractor shall, within ten days after the letting, enter into contract and file a bond with two good and sufficient sureties with the commissioners, in the penal sum of double the value of the amount of the contract, payable to the commissioners of the district, upon failure to comply with the conditions of his or their contract.

§ 75. All contracts for the construction or repair of roads, or building or repairing of bridges, shall be made payable as soon as the work in said contract is completed and accepted by the commissioners.

§ 76. All public roads established under the provisions of this act, shall be of the width of sixty feet: *Provided*, short roads, not exceeding two miles in length, may be of a width not less than forty feet nor more than sixty feet, and roads called public and private roads may be of the width as in this act provided. All public roads laid out as herein provided shall be opened within

6 two years from the time of laying out the same. If not opened within the time
7 aforesaid, the same shall be deemed to be vacated.

§ 77. The commissioners may alter, widen or vacate any road, or lay out
2 any new road in their respective districts, when petitioned by any number of
3 land owners, not less than twelve, residing in such district, and within three
4 miles of the road so to be altered, widened, vacated or laid out.

§ 78. Whenever any person or persons desire a change, re-location or vaca-
2 tion of any county or State road, or the opening of any new road, notice of
3 such intended application shall be given by putting up advertisements in
4 writing, in at least three of the most public places in the district in which
5 said road shall be located, and by filing a copy of such advertisement with
6 the district clerk, at least twenty days previous to the sitting of the board
7 at which application shall be made. Said application shall be made by peti-
8 tion, as provided in section 77 of this act, which petition shall set forth in writ-
9 ting, a description of the road, and what part thereof is to be altered, widened
10 or vacated, and if for a new road, the names of the owners of lands, if known,
11 and if not known it shall be so stated, over which the road is to pass, the
12 points at or near which it is to commence, its general course, and the place
13 at or near where it is to terminate, and the date when such application will
14 be made.

§ 79. Whenever the commissioners shall receive any such petition, they
2 shall fix a time when and place where they will meet to examine the route of
3 such road, and to hear reasons for or against the altering, widening, vacating
4 or laying out the same; and they shall give at least ten days' notice of the time
5 and place of such meeting, by posting up notices in three of the most public
6 places in the district in the vicinity of the road to be widened, altered, va-
7 cated or laid out.

§ 80. The commissioners may, by public announcement, and by the posting
2 of a notice at the time and place named for the first meeting, adjourn the
3 meeting from time to time, but not for a longer period than ten days in all;
4 and shall, at the first or such adjourned meeting, within said ten days de-
5 cide and publicly announce whether they will grant or refuse the prayer of

6 the petition, and shall indorse upon or annex to the petition a brief memorandum of such decision, to be signed by the commissioners, and filed
7 within five days in the office of the district clerk. Such decision
8 shall be subject to revocation, in case the prayer of the petition is granted, in
9 the manner hereinafter provided. In case the commissioners refuse to grant
10 the prayer of the petition, they shall within five days thereafter, file the same
11 so indorsed or with such decision annexed thereto, in the office of the district
12 clerk.

§ 81. If the petition is simply for the vacation of a road, and the commissioners, or a majority of them, shall, at such meeting decide that the prayer of
2 the petitioners should be granted, they shall order such road to be vacated,—a
3 copy of which order, together with the petition, shall be by them filed with
4 the district clerk; such order to be so filed within five days after the date of
5 such decision.

§ 82. If such petition is for the establishment of a new road, or the alteration or widening of an existing road, and the commissioners or a majority of
2 them, shall be of the opinion that the prayer of the petitioners should be granted,
3 they shall cause a survey and plat of such road to be made by a competent
4 surveyor, who shall report such survey and plat to said commissioners, giving
5 the courses and distances, and specifying the land over which said road is to
6 pass—in which they may make such changes between the termini of the road
7 described in the petition as the convenience and interest of the public in their
8 judgment may require.

§ 83. Upon the petition of twelve land owners residing in the district where
2 the road is situated, it shall be the duty of the commissioners, within a reasonable time, to employ a competent surveyor and have any road designated in
3 such petition in their several districts re-surveyed, and the plats thereof made,
4 which plats and surveys shall be by them filed for record in the office of the
5 district clerk: *Provided*, that this section shall not apply where the same has
6 been already done, unless the exact location of such road is uncertain.

§ 84. The establishment of a new road on the route of a road already established according to law, shall not vacate the road previously established, unless

3 such vacation is prayed for in the petition, and so declared in the order estab-
 4 lishing a new road.

§ 85. In all cases where a petition is presented to the board of highway
 2 commissioners, praying for a change, alteration, re-location or vacation of any
 3 road, or the laying out of a new road, as provided for in this act, if there
 4 shall be remonstrances presented against granting the same, it shall be the duty
 5 of said board to give due consideration both to the petition and remonstrance,
 6 and grant or refuse the prayer of such petitioners, as in their discretion shall
 7 be just and proper.

§ 86. They shall also, before they order any road established, altered,
 2 widened or vacated, ascertain as hereinafter provided, the aggregate amount of
 3 damages which the owner or owners of the land over which the road is to pass
 4 shall be entitled to, by reason of the location, alteration or vacation of such
 5 road: *Provided, however,* that in case an appeal is taken from the assessment
 6 of damages before the justice of the peace, the commissioners may in their dis-
 7 cretion, make an order laying out, widening, altering or vacating such road,
 8 either before or after such appeal is determined, in the manner hereinafter
 9 provided.

§ 87. The damages sustained by the owner or owners of the land, by reason
 2 of the establishment, alteration, widening or vacation of any road, may be
 3 agreed upon by the owners of such lands, if competent to contract, and the
 4 commissioners, or they may be released by such owners—in which case the
 5 agreement or release shall be in writing, and shall be filed and recorded with
 6 the copy of the order establishing, altering, widening or vacating such road, in
 7 the district clerk's office, and shall be a perpetual bar against such owners, their
 8 grantees and assigns, for all further claims for such damages.

§ 88. In case such damages are not released or agreed upon as in the pre-
 2 ceding section specified, the commissioners shall within ten days from the date
 3 of the meeting at which it was decided to grant the prayer of the petition
 4 make a certificate that they are about to establish, widen, vacate or alter a
 5 public road, describing such road, vacation, widening or alteration, and the
 6 land over or on which such road is to be established, altered, widened or vacated,

7 and naming the owners of such lands, if known, and if not known stating the
8 fact, and asking for a jury to assess the damages of such owners, and shall
9 present such certificate to some justice of the peace of the county, who on
10 receipt of the same shall within five days issue a summons against the land
11 owners concerned, which summons shall be in the following form as nearly as
12 the case will admit, viz:

13 STATE OF ILLINOIS,)
14 County:) ss.

15 The People of the State of Illinois, to any constable of said county, greet:
16 ing:

17 You are hereby commanded to summon to appear before
18 me at on the day of .. o'clock, and prove to a jury then and
19 there to be empannelled, such damages as he or they may sustain on account
20 of the establishing, altering, widening or vacating the road described in a cer-
21 tificate of the commissioners of Road District No., in said county, which
22 certificate is now on file in my office.

23 Given under my hand and seal this day of 18..

24 **Justice of the Peace.**

25 in which summons the justice shall specify a certain place, day and hour for
26 the trial, not less than six nor more than fifteen days from the date of such
27 summons, at which time and place such land owners are to appear. Such sum-
28 mons shall be served at least three days before the time of trial mentioned
29 therein, by reading the same to the land owners therein named.

§ 89. If any such owner is an infant, such summons shall be served by deliver-
 2 ing a copy to the infant, and its guardian, if any, if no guardian, the person with
 3 whom he or she resides. If any owner is a lunatic or habitual drunkard, having
 4 a conservator, by delivering a copy to his conservator.

2 90. In case it shall appear, either from the certificate of commissioners, the
3 affidavit of any person, or the return of any officer to whom the notice may be
4 delivered for service, that there are non-resident or unknown owner or owners,
5 who cannot be found and served within the county, such justice shall also
6 cause notice to be delivered to the occupant of such lands and the contents and

6 nature thereof to be made known to such occupant, and also to be posted in
 7 three of the most public places in the vicinity of such proposed road or altera-
 8 tion, at least ten days before the time fixed in the summons for hearing proof
 9 of damages, stating the time and place, as stated in said summons, and describ-
 10 ing the road to be established or altered, and the lands for which damages are
 11 to be assessed; and in case service is made upon any owner by posting notices
 12 as above, provided the justice shall continue said hearing for a period not
 13 exceeding twelve days.

§ 91. Such justice shall also forthwith issue a venire directed to any con-
 2 stable of the county, to summons six persons having the qualifications of jurors
 3 to appear at such time and place as may be designated for the proving of
 4 such damages, whose competency shall be determined the same as in other
 5 civil cases before justices of the peace. Either party to the case shall have
 6 the same right of challenge as in other civil cases; and any deficiency in the
 7 number of jurors, from whatever cause, shall be supplied by summoning other
 8 persons residing in such county: *Provided*, that not more than one-half of
 9 such jury shall be residents of the district liable to pay the damages assessed in
 10 the case. *Provided, further*, that changes of venue may be granted, if applied for
 11 before the commencement of the trial, in the same manner as in other civil
 12 causes before justices of the peace.

§ 92. The jury shall appear before and be sworn by such justice faith-
 2 fully and impartially to assess the damage of each of the owners specified
 3 in such certificate, or those of them whose claims are then to be adjusted, ac-
 4 cording to law, to the best of their judgment and understanding; and all parties
 5 in interest shall be entitled to subpoenas and other writs and papers, and the
 6 trial shall be conducted as in other civil cases.

§ 93. The case shall be entitled "Commissioners of Road District No. —vs. —"
 2 (whoever may be summoned as land owners), and the jury shall hear such law-
 3 ful evidence touching the question of such damages as may be presented to
 4 them; and shall also, on request of a majority of the commissioners or owners of
 5 lands whose damages are to be determined, in a body visit and examine the
 6 proposed location, alteration, widening or vacation of such road, and the lands

7 to be taken and affected thereby, and make a written verdict specifying the
 8 amount of damages, if any, which every such owner shall recover, and return
 9 the same to such justice, to be by him entered on his docket in the nature of a
 10 judgment: *Provided*, that in estimating the damages, except damages to land
 11 actually taken for a road, the jury may consider the benefits conferred; but no
 12 benefits enjoyed in common by the owners of surrounding property shall be
 13 considered in estimating damages.

§ 94. At the next regular meeting after the total amount of damages shall
 2 have been ascertained, either by release or agreement of the parties, or by
 3 assessment before a justice of the peace and a jury, in the manner hereinbefore
 4 provided, the commissioners shall finally determine upon the laying out, alter-
 5 ing, widening or vacation of such road.

§ 95. In cases where the damages are not wholly released or agreed
 2 upon, and the commissioners shall be of the opinion that the dam-
 3 ages assessed by the jury are manifestly too high, and that the pay-
 4 ment of the same would be unreasonable burden upon the tax-payers of
 5 the district, the commissioners may revoke all proceedings had upon the peti-
 6 tion by a written order to that effect; and such revocation shall have the effect
 7 to annul all such proceedings and assessments, releases and agreements, in re-
 8 spect to damages growing out of the proceedings upon the petition: *Provided*,
 9 upon the final determination of the commissioners of highways, or upon
 10 appeal being determined, and a copy of all such proceedings being filed
 11 in the district clerk's office, no other proceeding shall be had by the commis-
 12 sioners of highways, nor any petition entertained in regard to the same road or
 13 petition for one year from the date of filing such copies of proceedings. And
 14 after two trials as aforesaid, if the decision be the same, no other petition shall
 15 be entertained for the same until the expiration of three years from the filing
 16 of the last proceedings.

§ 96. In case the commissioners shall not revoke such prior proceedings
 2 they shall make an order, to be signed by them, declaring such road so altered,
 3 widened or laid out a public highway, and which order shall contain or have
 4 annexed thereto a definite description of the line of such road, together

5 with a plat thereof. The commissioners shall within five days from the date
 6 of such order, cause the same, together with the report of the surveyor, the
 7 petition and the releases, agreements or assessments in respect to damages,
 8 to be deposited and filed in the office of the district clerk, who shall note
 9 upon such order the date of such filing. It shall be the duty of such clerk,
 10 after the time for appeal has expired, and in the case of such appeal, after
 11 the same shall have been determined, in case the prayer of the petition is
 12 granted, to record such order, together with the plat of the surveyor, in a
 13 proper book to be kept for that purpose.

§ 97. In cases where the damages claimed by the land-owners for the right
 2 of way are released, or are agreed upon between the land-owners and com-
 3 missioners, the commissioners may, at their first meeting or at any adjourned
 4 meeting, examine the route of the road, and cause a survey thereof to be
 5 made, and make their order establishing, altering, widening or vacating t e
 6 road, according to the prayer of the petition, and return the same within
 7 the time and in the manner specified in this act.

§ 98. Any person or persons interested in the establishment, alteration,
 2 widening or vacation of any road in this State, are hereby authorized to offer
 3 inducements to the commissioners of highways for the establishment, altera-
 4 tion, widening or vacation of any such road, by entering into contract
 5 with said commissioners, conditioned upon such establishment, alteration,
 6 widening or vacating, to pay money or other valuable thing to the district
 7 for the benefit of the road and bridge funds of the same; or to perform any
 8 labor, or to construct any road, bridge or culvert on any road which said
 9 person or persons desire to have established, widened or altered. And such
 10 contracts, in writing, made with said commissioners, shall be deemed good
 11 and valid in law, and may be enforced by said commissioners or their suc-
 12 cessors in office, before any court having jurisdiction.

§ 99. The records of the district clerk, or a certified copy of such record
 2 and papers, relating to the establishment, location, alteration, widening or
 3 vacation of any road, shall be *prima facie* evidence in all cases that all the
 4 necessary antecedent provisions had been complied with, and that the action

5 of the commissioners or other persons and officers, in regard thereto, was
6 regular in all respects.

§ 100. Whenever a public road is ordered to be established or altered, ac-
2 cording to the provisions of this act, which road shall pass through or on
3 enclosed land, the commissioners of highways shall give the owner or occu-
4 pant of such land sixty days' notice in writing, to remove the fences. If
5 such owner or occupant does not remove the fence or fences within sixty
6 days after such notice, the commissioners shall have the same removed, and
7 direct the road to be opened and worked; the owner of such premises shall
8 pay all necessary costs of removal, and the same may be recovered by the com-
9 missioners before any justice of the peace of the county.

§ 101. Roads for private and public use, of the width of three rods or less,
2 may be laid out from one dwelling or plantation of an individual to any
3 public road, or from one public road to another, or from a lot of land to
4 a public road, on petition to the commissioners by any person directly
5 interested; such petition shall be of the same form and subject to the same
6 notice as provided in section 78 of this act. The commissioners on receiving
7 such petition, shall have power to lay out the road as asked therein, to
8 which end they shall proceed and examine into the merits of the case, and
9 shall be governed in their proceedings by the rules and regulations pre-
10 scribed in this act in relation to public roads. The jury shall consider the
11 damages that may result to parties from said proposed road, and shall assess
12 the damages to each individual owner of lands affected thereby. The
13 amount of such damages shall be paid by the persons benefitted thereby to
14 the extent and in proportion that they are benefitted, be determined and
15 declared by the jury. The remainder of the amount of damages over and above
16 that to be paid by the parties as aforesaid, shall be paid by the district as in
17 other cases. The amount of damages to be paid by individuals shall be paid to
18 the parties entitled thereto before the road shall be opened for use. An
19 appeal may be taken on the question of the propriety and necessity of such
20 road as in other cases.

§ 103. If such road or cartway shall not be opened by the petitioners within two years from the time of making the order for the location of the same, such order shall be regarded as rescinded.

§ 106. When such road or cartway is proposed to pass over inclosed lands the owners of such lands shall have a reasonable time, not exceeding eight months, to be designated by the commissioners, to harvest crops and remove fences which may be on such lands before such road or cartway shall be opened.

§ 104. Public roads may be established, altered, widened or vacated on district or county lines, or from one district into another, in the same manner as other public roads, except that in such case a copy of the petition shall be posted up in and presented to the commissioners of each district interested; said petition to be as in other cases, and signed by not less than twelve land owners residing in either county within three miles of the road so to be altered, widened, located or laid out; whereupon it shall be the duty of the commissioners of the several districts to meet and act as one body, in the same time and manner as in other cases, in considering the petition, viewing the premises, adjusting damages and making all orders in reference to such proposed road alteration, widening or vacation, and a majority of all such commissioners must concur in all such orders; and a copy of all final orders and plats and papers shall be filed and recorded in each of the counties and districts interested.

§ 105. The commissioners shall also, in case a new road is established, allot to each of such districts the part of such road which each of such districts shall open and keep in repair, and the part so allotted shall be considered as wholly belonging to such district. They shall also divide the expenses and damages which may accrue from such location, widening or alteration, and if they cannot agree, they shall refer the matter to three disinterested land-owners, as arbitrators, whose decision shall be final.

§ 106. Any person or persons interested in the decision of the commissioners in determining to or in refusing to lay out, alter, widen or vacate any road or revoking any previous order or decision relative to any road, or in the verdict of any jury in assessing damages in opening, altering or vacating any road, may appeal from such decision to the county or circuit court, within ten days

6 after such decision has been rendered, by filing a written petition with the
 7 justice of the peace, or the commissioners of highways, from whose decision
 8 they desire to appeal, and stating on what grounds such appeal is
 9 taken.

§ 107. Any parties taking an appeal from the award or the decision of the
 2 highway commissioners, or the verdict of the jury, shall file a sufficient bond
 8 with the justice of the peace, or district clerk, before taking such appeal
 4 conditioned for the payment of the cost of such appeal, in case the decision
 5 of the commissioners or the verdict of the jury is in all things sustained,
 6 or the appeal dismissed; if the award of the highway commissioners, or ver-
 7 dict of the jury shall not be sustained, the district shall pay the cost of such
 8 appeal.

§ 108. When the commissioners of one district disagree with the commissioners
 2 of an adjoining district, in regard to the laying out of a new road, or the altera-
 3 tion, widening or vacation of an old road on any county or district line, appeals
 4 may be taken from such decision in the same manner as where the road is
 5 wholly in one district.

§ 109. All roads heretofore laid out upon district or county lines, shall be
 2 divided, allotted and kept in repair in the manner as hereinbefore directed.
 3 Any public road that is or shall hereafter be laid out on a county or district line,
 4 shall be held to be a road on a county or district line, although, owing to the topo-
 5 graphy of the ground along said county or district line, or at the crossing of any
 6 stream of water, the proper authorities, in establishing or locating such road,
 7 may have located a portion of the same to one side of such county or district line

§ 110. Roads may be laid out and opened upon the line between this and any
 2 adjoining State, as provided in the preceding sections, whenever the laws of
 3 such adjoining State shall be applicable.

§ 111. If the commissioners shall willfully refuse or neglect to perform any
 2 of the duties enjoined upon them by this act, they shall severally forfeit not
 3 less than ten dollars, nor more than fifty dollars, and may be proceeded against,
 4 in the name of the district, severally or jointly, for the recovery of such for-

5 seizure before any justice of the peace in the proper county having jurisdiction.

§ 112. The commissioners of highways may, when they shall deem it advisable, put up and maintain in conspicuous places, at each end of any bridge, a notice with the following words in large characters: "Five dollars fine for riding or driving on this bridge faster than a walk." If any person shall ride or drive over any bridge upon which such notice has been placed, faster than a walk, he shall forfeit to the district in which such bridge is located five dollars for every such offense.

§ 113. In addition to the notices now required by law, in proceedings for laying out, locating or opening of public roads, similar notices shall be served on any railroad company, across or alongside of whose railroad it may be proposed to locate a public road: *Provided*, that this act shall not apply to the proceedings for opening streets in towns or cities.

§ 114. The notices, as provided by this act, shall be served by delivering a copy thereof to the station agent of any such railroad company nearest to the proposed location of such projected public road.

§ 115. That an act entitled "An act in regard to gateways, roads and bridges in counties not under township organization," approved and in force April 18, 1873, and all other acts or parts of acts inconsistent herewith, be, and the same are hereby repealed: *Provided*, that the repeal of said act shall not affect any suit or proceedings pending, or impair any right existing at the time this act shall take effect: *And provided, also*, that the supervisors in office, when this act takes effect, shall continue in office till the expiration of their terms, and the road tax and road labor then due shall not be released from its obligations, and the delinquent list shall be duly returned and collected as now provided, the avails of which shall be paid to the treasurer of the commissioners.

1. Introduced by Mr. Mason, March 28, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Judiciary.
3. Reported back April 13, 1883, with amendment, passage recommended, and ordered to second reading.

AMENDMENT TO SENATE BILL NO. 387, PROPOSED BY THE COMMITTEE ON
JUDICIARY.

Amend by inserting before the word "be," in line 7, the word and figure "Section 1."

A BILL

For An Act to amend section four of an act entitled "An act to prevent and punish the adulteration of articles of food, drink and medicine, and the sale thereof when adulterated," approved June 1, 1881, in force July 1, 1881.

Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section four (4) of an act entitled "An act to prevent the adulteration of articles of food, drink and medicine, and the sale thereof when adulterated," approved June 1, 1881, in force July 1, 1881, be amended to read as follows:

"Section 4. No person shall mix any glucose or grape sugar with syrup or sugar intended for human food, or any oleomargarine, suine, beef fat, lard, or any other foreign substance, with any butter or cheese intended for human food, or shall mix or mingle any glucose or grape sugar or oleomargarine with any article of food without distinctly marking, stamping or labeling the article or the package containing the same with the true and appropriate name of such article, and the percentage in which such glucose or grape sugar, oleomargarine or suine enters into its composition, nor shall any person sell or offer for sale, or order or permit to be sold or offer for sale, any such article of food into the composition of which glucose, or grape sugar, or oleomar-

13 garine, or suine has entered, without at the same time informing the buyer of the fact, and the
14 proportions in which such glucose, or grape sugar, or oleomargarine, or suine has entered into
15 its composition: *Provided*, that nothing in this act shall be so construed as to prevent the use
16 of harmless coloring matter in butter and cheese or other articles of food."

1. Introduced by Mr. Mason, March 25, 1883, and ordered to first reading.
2. First reading March 30, 1883, and referred to Committee on Judiciary.
3. Reported back April 13, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading May 1, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section 4 of an act entitled "An act to prevent and punish the adulteration of articles of food, drink and medicine, and the sale thereof when adulterated," approved June 1, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section four (4) of an act entitled "An act to prevent
3 the adulteration of articles of food, drink and medicine, and the sale thereof
4 when adulterated," approved June 1, 1881, in force July 1, 1881, be amended, to
5 read as follows:

6 "Section 4. No person shall mix any glucose or grape sugar with syrup or sugar
7 intended for human food; or any oleomargarine, suine, beef fat, lard or any
8 other foreign substance with any butter or cheese intended for human food,
9 or shall mix or mingle any glucose or grape sugar or oleomargarine with any
10 article of food without distinctly marking, stamping or labeling the article,
11 or the package containing the same, with the true and appropriate name of
12 such article, the percentage in which such glucose or grape sugar,
13 oleomargarine or suine enters into its composition; nor shall any person sell
14 or offer for sale, or order or permit to be sold or offered for sale, any such
15 article of food into the composition of which glucose or grape sugar, or
16 oleomargarine or suine has entered, without, at the same time, informing the

17 buyer of the fact, and the proportions in which such glucose or grape sugar,
18 or oleomargarine or suine has entered into its composition : *Provided*, that
19 nothing in this act shall be so construed as to prevent the use of harmless
20 coloring matter in butter and cheese, or other articles of food."

1. Introduced by Mr. Merritt, March 29, 1883, and ordered to first reading.
2. First reading March 29, 1883, and referred to Committee on Railroads.
3. Reported back March 29, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "An act to amend an act entitled 'An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State,' approved May 29, 1877, and in force July 1, 1877, be amended, so as to read as follows:

"That the liability of all counties, cities, townships, towns or precincts which have voted aid or donations to or subscriptions to the capital stock of any railroad company in conformity to the laws of this State, for the building, or in aid of the building of any railroad to, into, through or near such county, city, township, town or precinct, to issue such voted aid, shall cease and determine upon and after the first day of July, A. D. 1883; and no bonds shall be issued or stock subscribed to any such railroad company after that date upon account of, or upon the authority of such vote: *Provided*, This act shall not apply in any case where the express conditions of the vote for such aid shall extend the time for the building of such railroad beyond the said date: *And, it is further provided*, that this act shall not apply in any case where any railroad shall have been built, or shall before said date be built in accordance with the conditions of the vote for aid to such railroad: *And, it is further provided*, that this act shall not apply to any case where such aid shall have been deposited, or shall before said date be deposi-

19 ted, with any trustee or trustees, upon written or printed conditions, to be delivered to said
20 railroad company at some future time: *Provided, further*, that this act shall not be construed
21 so as to require any county, city, township, town, or precinct to issue, pay or deliver any such
22 aid or bonds where the same may have been voted and subscribed upon any condition or condi-
23 tions which shall not be complied with within the time expressed in the notice of election,
24 proceedings or vote authorizing such aid to be paid or given."

§ 2. Each and every act contrary to the provisions of section 1, of this act, are hereby
2 repealed.

1. Introduced by Mr. Merritt, March 29, 1883, read first time, and referred to Committee on Railroads.
2. Reported back, passage recommended, and ordered to second reading.
3. Second reading April 13, 1883, amended and ordered to third reading.

A BILL

For An Act to amend an act entitled "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That an act entitled "An act to amend an act entitled 'An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State,'" approved May 29, 1877, and in force July 1, 1877, be amended, so as to read as follows:

"That the liability of all counties, cities, townships, towns or precincts which have voted aid or donations to or subscriptions to the capital stock of any railroad company in conformity to the laws of this State, for the building, or in aid of the building of any railroad to, into, through or near such county, city, township, town or precinct, to issue such voted aid, shall cease and determine upon and after the first day of September, A. D. 1883; and no bonds shall be issued or stock subscribed to any such railroad company after that date upon account of, or upon the authority of such vote: *Provided*, this act shall not apply in any case where the express conditions of the vote for such aid shall extend the time for the building of such railroad beyond the said date: *And, it is further provided*, that this act shall not apply in any case where any railroad shall have been built, or shall before said date be built in accordance with the conditions of the vote for aid to such railroad: *And, it is further provided*, that this act shall not apply to any case where such aid shall have been deposited, or shall before said date be deposi-

19 ted, with any trustee or trustees, upon written or printed conditions, to be delivered to said
20 railroad company at some future time: *Provided, further,* that this act shall not be construed
21 so as to require any county, city, township, town, or precinct to issue, pay or deliver any such
22 aid or bonds where the same may have been voted and subscribed upon any condition or condi-
23 tions which shall not be complied with within the time expressed in the notice of election,
24 proceedings or vote authorizing such aid to be paid or given."

§ 2. Each and every act contrary to the provisions of section 1, of this act, are hereby
2 repealed.

1. Introduced by Mr. Merritt, March 29, 1883, read first time, and referred to Committee on Railroads.
2. Reported back, passage reconsidered, and ordered to second reading.
3. Second reading April 13, 1883, amended and ordered to third reading.
4. May 16, recommended, amended by unanimous consent, and ordered to a third reading.

A BILL

For An Act to amend an act entitled "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That an act entitled "An act to amend an act entitled
3 'An act to limit and determine the time for which counties, cities, townships,
4 towns and precincts in this State shall be liable and holden to issue aid for
5 the building of any railroad in pursuance of any vote taken in conformity
6 to the laws of this State,' approved May 29, 1877, in force July 1, 1877," be
7 amended, so as to read as follows:

8 "That the liability of all counties, cities, townships, towns or precincts
9 which have voted aid or donations to or subscriptions to the capital stock of any
10 railroad company in conformity to the laws of this State, for the building
11 or in aid of the building of any railroad to, into, through or near such county,
12 city, township, town or precinct, to issue such voted aid, shall cease and de-
13 termine upon and after the first day of September, A.D. 1883; and no bonds shall be
14 issued or stock subscribed to any such railroad company after that date upon ac-
15 count of, or upon the authority of such vote: *Provided*, this act shall not apply in

16 any case where the express conditions of the vote for such aid shall extend the
 17 time for the building of such railroad beyond the said date. *And, it is fur-*
 18 *ther provided,* that this act shall not apply in any case where any railroad
 19 shall have been built, or shall before said date be built, in accordance with
 20 the conditions of the vote for aid to such railroad: *And, it is further provided,*
 21 that this act shall not apply to any case where such aid shall have been de-
 22 posited, or shall before said date be deposited, with any trustee or trustees,
 23 upon written or printed conditions, to be delivered to said railroad company
 24 at some future time: *Provided, further,* that this act shall not be construed so
 25 as to require any county, city, township, town or precinct to issue, pay or de-
 26 liver any such aid or bonds where the same may have been voted and sub-
 27 scribed upon any condition or conditions which shall not be complied with
 28 within the time expressed in the notice of election, proceedings or vote auth-
 29 orizing such aid to be paid or given: *And, provided, further,* this act shall not
 30 be construed to revive the rights of any railroad company to have any sub-
 31 scription for the stock made, or bonds issued, where such subscription has not
 32 been actually and formally made and entered on the subscription books of
 33 the company by the proper municipal officers before the passage of this act,
 34 but shall revive only such aid as may have been voted by way of donation."

§ 2. Each and every act contrary to the provisions of section 1 of this act,
 2 are hereby repealed.

1. Reported to House, May 18, 1883.
2. First reading May 29, 1883, and referred to Committee on Railroads.
3. Reported back, passage recommended, report concurred in, and ordered to second reading, June 6, 1883.

A BILL

For An Act to amend an act entitled "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," approved May 29, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That an act entitled "An act to amend an act entitled
3 'An act to limit and determine the time for which counties, cities, townships,
4 towns and precincts in this State shall be liable and holden to issue aid for
5 the building of any railroad in pursuance of any vote taken in conformity
6 to the laws of this State,'" approved May 29, 1877, and in force July 1, 1877,
7 be amended, so as to read as follows :

8 "That the liability of all counties, cities, townships, towns or precincts which
9 have voted aid or donations to, or subscriptions to the capital stock of any
10 railroad company in conformity to the laws of this State, for the building, or
11 in aid of the building of any railroad to, into, through or near such county,
12 city, township, town or precinct, to issue such voted aid, shall cease and
13 determine upon and after the first day of September, A. D. 1883; and no bonds
14 shall be issued or stock subscribed to any such railroad company after that
15 date upon account of, or upon the authority of such vote : *Provided*, this act
16 shall not apply in any case where the express conditions of the vote for such
17 aid shall extend the time for the building of such railroad beyond the said

18 date: *And, it is further provided,* that this act shall not apply in any case
19 where any railroad shall have been built, or shall before said date be built
20 in accordance with the conditions of the vote for aid to such railroad: *And,*
21 *it is further provided,* that this act shall not apply to any case where such aid
22 shall have been deposited, or shall before said date be deposited, with any
23 trustee or trustees, upon written conditions, to be delivered to said railroad
24 company at some future time: *Provided, further,* that this act shall not be con-
25 strued so as to require any county, city, township, town or precinct to issue, pay
26 or deliver any such aid or bonds where the same may have been voted and sub-
27 scribed upon any condition or conditions which shall not be complied with
28 within the time expressed in the notice of election, proceedings or vote
29 authorizing such aid to be paid or given: *Provided, further,* this act shall not
30 be construed to revive the right of any railroad company to have any subscrip-
31 tion for stock made, or bonds issued, where such subscription has not been
32 actually and formally made and entered upon the subscription books of the
33 company by the proper municipal officer, before the passage of this act, but shall
34 revive only such aid as may have been voted by way of donation.

§ 2. Each and every act contrary to the provisions of section 1 of this act, are
2 hereby repealed.

1. Introduced by Mr. McNary, March 29, 1883, and ordered to first reading.
2. First reading March 29, 1883, and referred to Committee on Judicial Department.
3. Reported back April 12, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one of an act entitled "An act to revise the law in relation to the Supreme Court," approved March 23, 1874, and in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois represented in the General

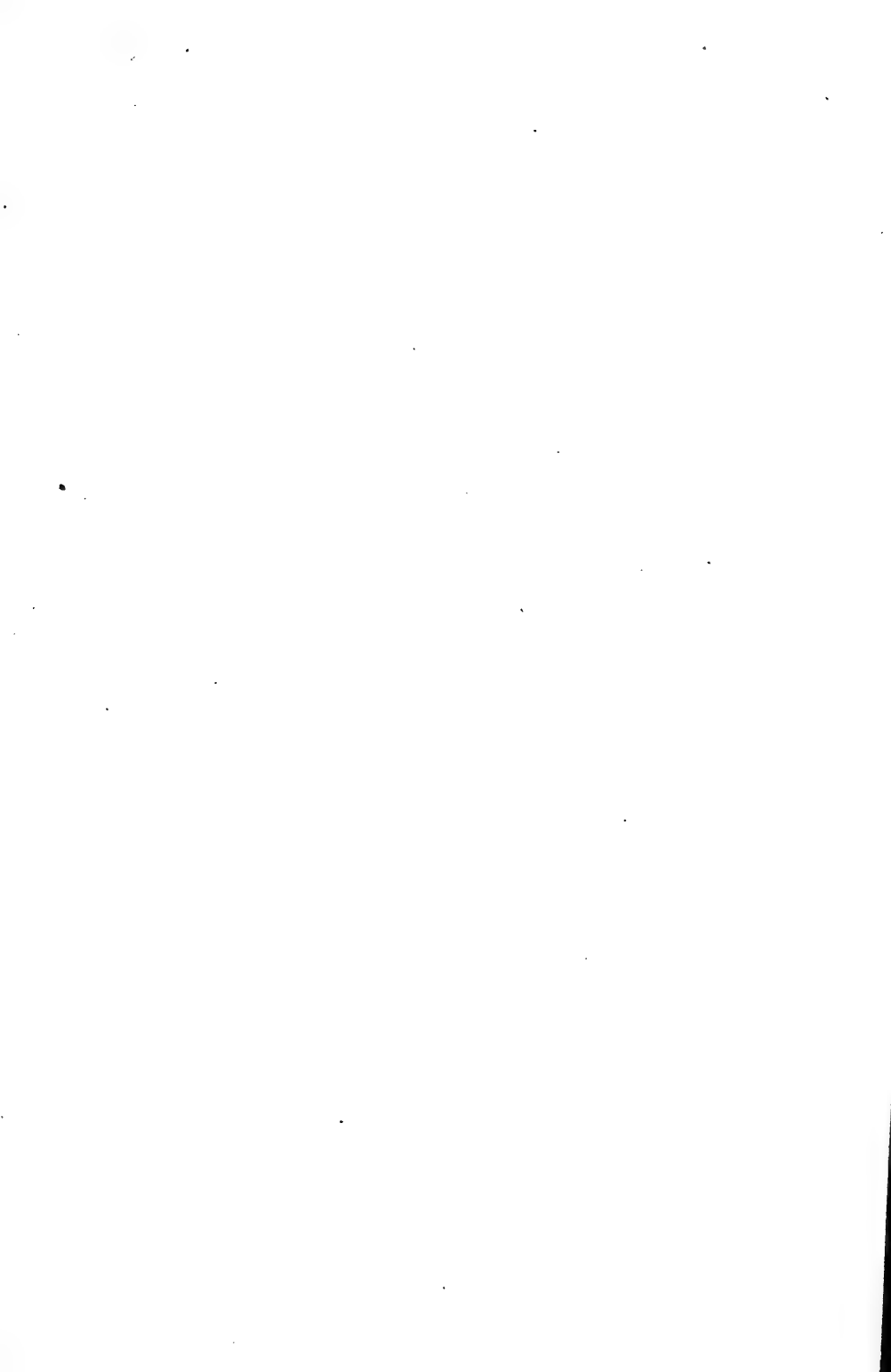
Assembly: That section one of an act entitled "An act to revise the law in relation to the Supreme Court," be and the same is hereby amended, so as to read as follows:

"Section 1. That for the purpose of holding terms of the Supreme Court, the State shall be divided into three grand divisions, to be known as the Southern, Central and Northern Grand Divisions, respectively, and to be as follows:

The Southern Grand Division shall include the counties of Alexander, Bond, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Lawrence, Madison, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Union, Wabash, Washington, Wayne, White, and Williamson.

The Central Grand Division shall include the counties of Adams, Brown, Cass, Calhoun, Champlain, Christian, Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Ford, Fulton, Greene, Hancock, Jersey, Jasper, Logan, Macon, Macoupin, Mason, McDonough, McLean, Menard, Montgomery, Morgan, Moultrie, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tanawell, and Vermillion.

The Northern Grand Division shall include the counties of Boone, Bureau, Carroll, Cook, DeKalb, DuPage, Grundy, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston, Marshall, McHenry, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Warren, Whiteside, Will, Winnebago, and Woodford."



1. Introduced by Mr. McNary, March 29, 1883, and ordered to first reading.
2. First reading March 29, 1883, and referred to Committee on Judicial Department.
3. Reported back April 12, 1883, passage recommended, and ordered to second reading.
4. Second reading April 26, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section one of an act entitled "An act to amend the law in relation to the Supreme Court," approved March 23, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section one of an act entitled "An act to revise the
3 law in relation to the Supreme Court," be and the same is hereby amended,
4 so as to read as follows:

5 "Section 1. That, for the purpose of holding terms of the Supreme Court,
6 the State shall be divided into three grand divisions, to be known as the
7 Southern, Central and Northern Grand Divisions, respectively, and to be as
8 follows:

9 The Southern Grand Division shall include the counties of Alexander,
10 Bond, Clinton, Crawford, Edwards, Fayette, Franklin, Gallatin, Hamilton,
11 Hardin, Jackson, Jefferson, Johnson, Lawrence, Madison, Marion, Massac,
12 Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Union,
13 Wabash, Washington, Wayne, White and Williamson.

14 The Central Grand Division shall include the counties of Adams, Brown,
15 Cass, Calhoun, Champaign, Christian, Clark, Clay, Coles, Cumberland, DeWitt,
16 Douglas, Edgar, Effingham, Ford, Fulton, Greene, Hancock, Jersey, Jasper,
17 Logan, Macon, Macoupin, Mason, McDonough, McLean, Menard, Montgomery,

18 Morgan, Moultrie, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazewell and
19 Vermilion.

20 The Northern Grand Division shall include the counties of Boone, Bureau,
21 Carroll, Cook, DeKalb, DuPage, Grundy, Henderson, Henry, Iroquois, Jo
22 Davies, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston,
23 Marshall, McHenry, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark,
24 Stephenson, Warren, Whiteside, Will, Winnebago, and Woodford."

1. Reported to House May 11, 1883.
2. First reading June 2, 1883, and ordered to second reading.

A BILL

For An Act to amend section one of an act entitled "An act to revise the law in relation to the Supreme Court," approved March 28, 1874, and in force July 1 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section one of an act entitled "An act to revise the law
3 in relation to the Supreme Court," be and the same is hereby amended, so as
4 to read as follows:

5 "Section 1. That, for the purpose of holding terms of the Supreme Court,
6 the State shall be divided into three grand divisions, to be known as the
7 Southern, Central and Northern Grand Divisions, respectively, and to be as
8 follows:

9 The Southern Grand Division shall include the counties of Alexander,
10 Bond, Clinton, Crawford, Edwards, Fayette, Franklin, Gallatin, Hamilton,
11 Hardin, Jackson, Jefferson, Johnson, Lawrence, Madison, Marion, Massac,
12 Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Union,
13 Wabash, Washington, Wayne White and Williamson.

14 The Central Grand Division shall include the counties of Adams, Brown,
15 Cass, Calhoun, Champaign, Christian, Clark, Clay, Coles, Cumberland, DeWitt,
16 Douglas, Edgar, Effingham, Ford, Fulton, Greene, Hancock, Jersey, Jasper,
17 Logan, Macon, Macoupin, Mason, McDonough, McLean, Menard, Montgomery,
18 Morgan, Moultrie, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazewell and
19 Vermillion.

20 The Northern Grand Division shall include the counties of Boone, Bureau,
21 Carroll, Cook, DeKalb, DuPage, Grundy, Henderson, Henry, Iroquois, Jo
22 Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston,
23 Marshall, McHenry, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark,
24 Stephenson, Warren, Whiteside, Will, Winnebago and Woodford."

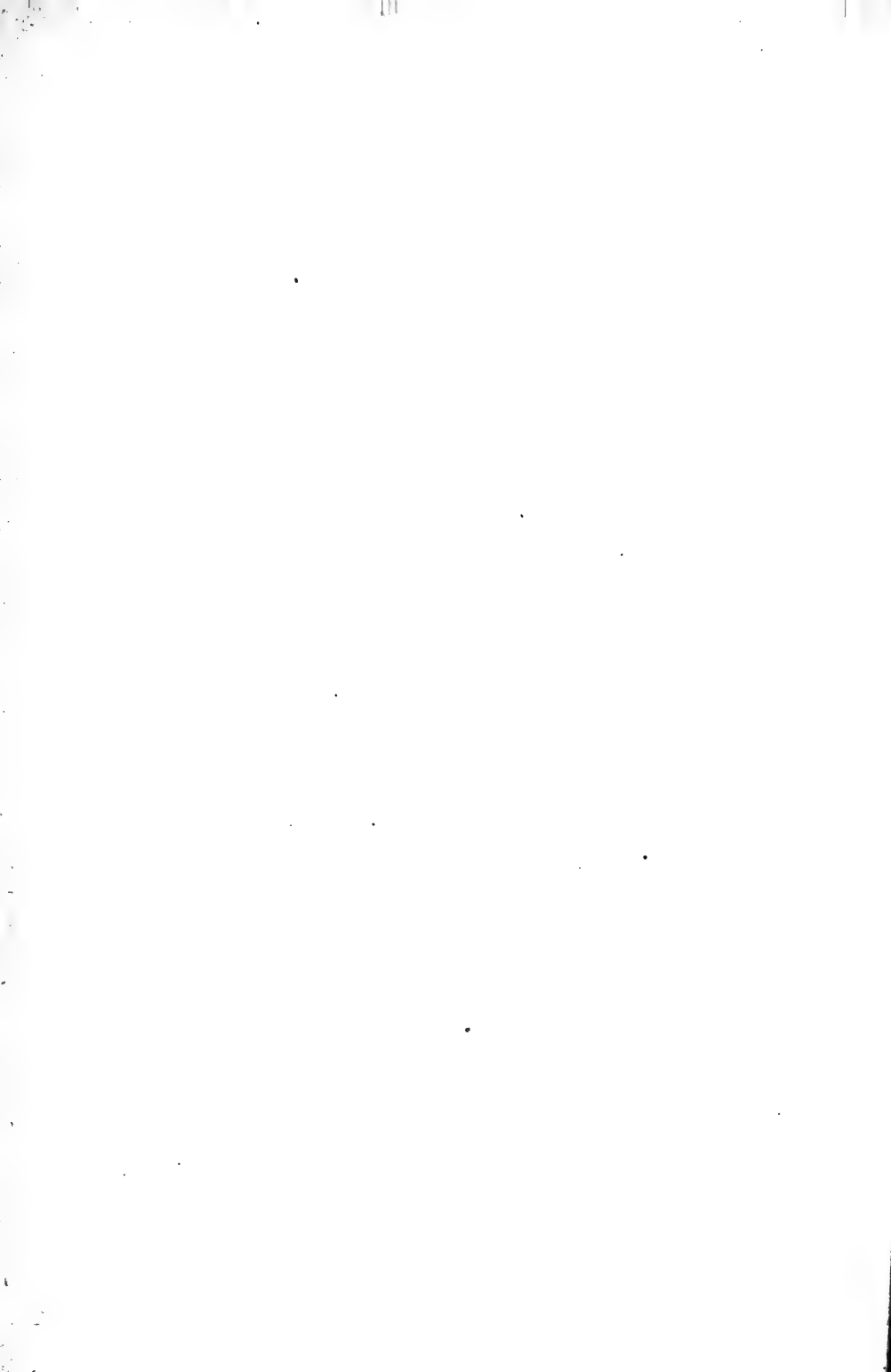
1. Reported to House May 23, 1883.
2. First reading May 26, 1883, and ordered to second reading.

A BILL

For An Act to amend section thirty-six (36) of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by act approved April 10, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section thirty six (36) of an act entitled "An act to
3 revise the law in relation to criminal jurisprudence," approved March 27, 1874,
4 in force July 1, 1874, as amended by act approved April 10, 1877, in force July
5 1, 1877, be amended, to read as follows:
6 "Section 36. Whoever willfully and maliciously and forcibly breaks and
7 enters, or willfully and maliciously without force, (the doors or windows being
8 open) enters into any dwelling house, kitchen, office, shop, storehouse, ware-
9 house, malt-house, stilling-house, mill, pottery, factory, wharf-boat, steam-
10 boat, or other water craft, freight or passenger railroad car, church, meeting-
11 house, school-house, or other building, with intent to commit murder, robbery,
12 rape, mayhem, or other felony, or larceny, shall be deemed guilty of bur-
13 glary, and be imprisoned in the penitentiary for a term not less than one
14 year, nor more than twenty years; but if such burglary be committed in the
15 night time, and in any inhabited house or room, then such person shall be
16 imprisoned in the penitentiary for a term of not less than five years, and such
17 punishment may extend to the term of his natural life."



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1. Reported to House May 23, 1883.
 2. First reading May 26, 1883, and ordered to second reading.
-

A BILL

For An Act to amend section thirty-six (36) of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by act approved April 10, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section thirty six (36) of an act entitled "An act to
3 revise the law in relation to criminal jurisprudence," approved March 27, 1874,
4 in force July 1, 1874, as amended by act approved April 10, 1877, in force July
5 1, 1877, be amended, to read as follows:

6 "Section 36. Whoever willfully and maliciously and forcibly breaks and
7 enters, or willfully and maliciously without force, (the doors or windows being
8 open) enters into any dwelling house, kitchen, office, shop, storehouse, ware-
9 house, malt-house, stilling-house, mill, pottery, factory, wharf-boat, steam-
10 boat, or other water craft, freight or passenger railroad car, church, meeting-
11 house, school-house, or other building, with intent to commit murder, robbery,
12 rape, mayhem, or other felony, or larceny, shall be deemed guilty of bur-
13 glary, and be imprisoned in the penitentiary for a term not less than one
14 year, nor more than twenty years; but if such burglary be committed in the
15 night time, and in any inhabited house or room, then such person shall be
16 imprisoned in the penitentiary for a term of not less than five years, and such
17 punishment may extend to the term of his natural life."

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1. Introduced by Mr. Whiting, March 29, 1883, and ordered to first reading.
 2. First reading March 29, 1883, and referred to Committee on Agriculture and Drainage.
 3. Reported back April 27, 1883, passage recommended, and ordered to second reading.
-

A BILL

For An Act declaratory of certain rights of drainage.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That owners or occupants of land draining the same for
3 agricultural purposes by open, tile or other covered ditches or drains,
4 having the discharge of the same on said owner's or occupant's land in a
5 natural channel or drainage depression, and when such drainage does not
6 include any material portion of land or body of water outside the water-
7 shed, such owner or occupant shall not be liable for damages to owners or
8 occupants of lands below.

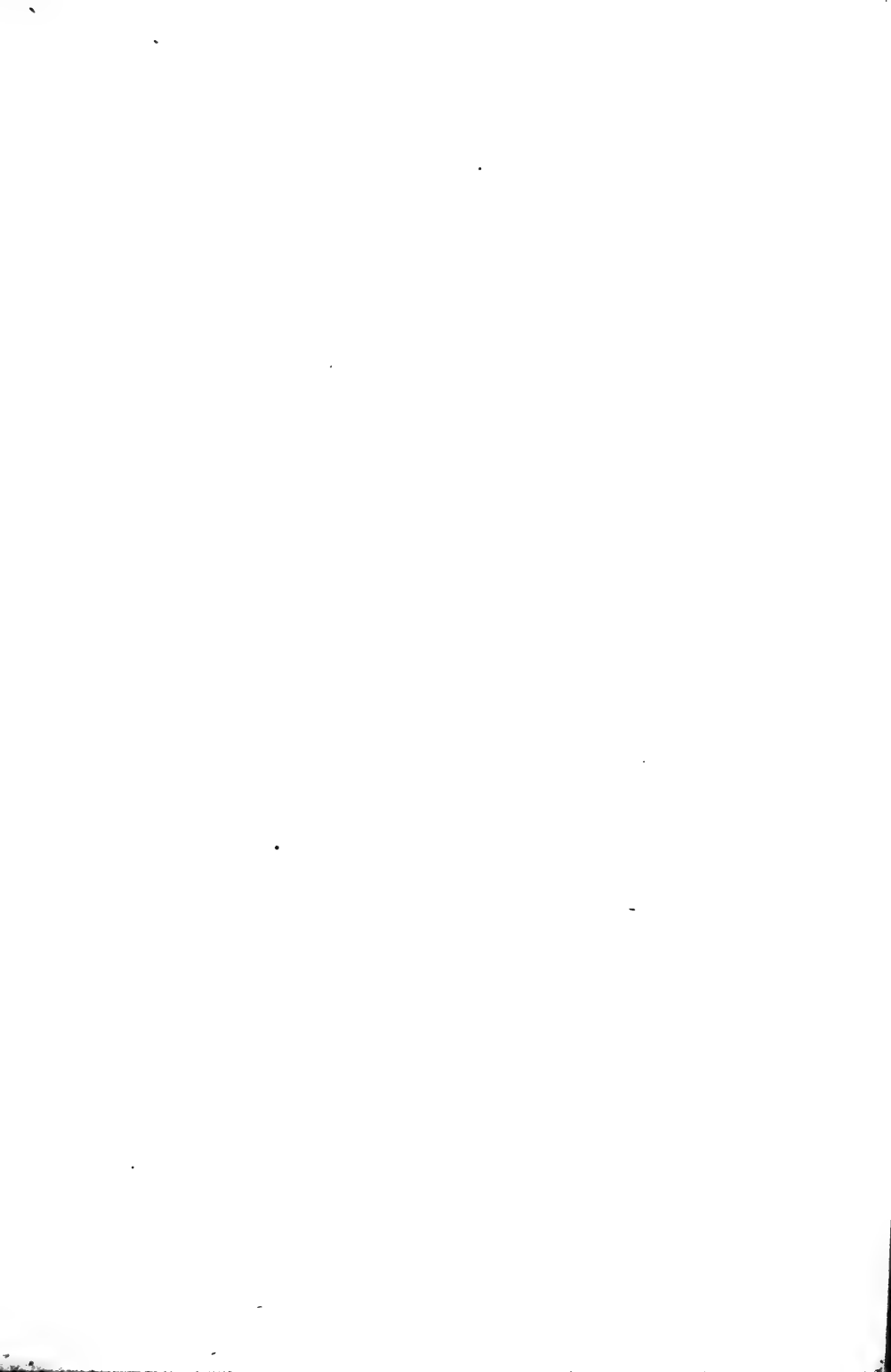


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1. Introduced by Mr. Whiting, March 29, 1883, and ordered to first reading
 2. First reading, March 29, 1883, and referred to Committee on Agriculture and Drainage.
 3. Reported back, April 27, 1883, passage recommended, and ordered to second reading.
 4. May 9, second reading, amended, and ordered to third reading.
-

A BILL

For An Act declaratory of certain rights of drainage.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That owners or occupants of land draining the same for
3 agricultural purposes, by open, tile or other covered ditches or drains, having
4 the discharge of the same on said owners or occupant's land in a natural
5 channel, such owner or occupant shall not be liable for damages to owners or
6 occupants of lands below: *Provided, however,* that the surface so drained by
7 such tile or ditches shall be substantially the same surface, and no more,
8 originally drained through said natural channel where said discharge is
9 located.



1. Introduced by Mr. Merritt, April 5, 1883, and ordered to first reading.
2. First reading April 5, 1883, and referred to Committee on Judiciary.
3. Reported back April 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section fifty-two (52), of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate, sold under execution or decree," approved March 22, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That section fifty-two, of an act entitled "An act in regard to judgments and decrees,
3 and the manner of enforcing the same by execution, and to provide for the redemption of real
4 estate sold under execution or decree," approved March 22, 1872, be, and the same is hereby
5 amended, to read as follows:

6 "Section 52. The share or interest of a stockholder in any corporation may be taken on exe-
7 cution, and sold as hereinafter provided; but in all cases, where such share or interest has been
8 sold or pledged in good faith for a valuable consideration, and the certificate thereof has been
9 delivered upon such sale or pledge, such share or interest shall not be liable to be taken on exe-
10 cution against the vendor or pledger, except for the excess of the value thereof over and above
11 the sum for which the same may have been pledged and the certificate thereof delivered."

1. Reported to House May 24, 1883.
2. First reading May 28, 1883, and ordered to second reading.

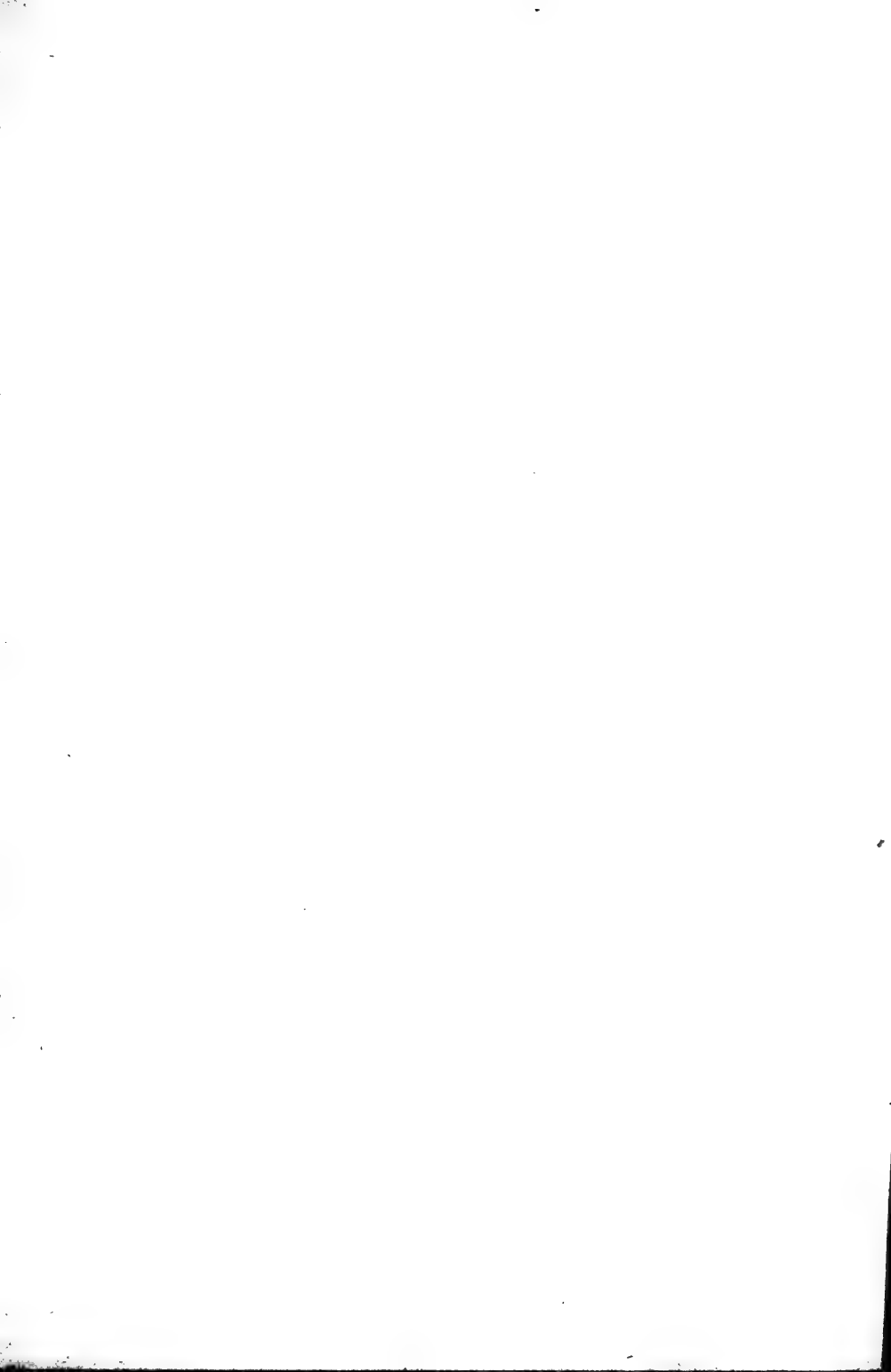
A BILL

For An Act to amend section fifty-two (52), of an act entitled "An act in regard to judgements and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate, sold under execution or decree," approved March 22, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section fifty-two, of an act entitled "An act in regard
3 to judgements and decrees, and the manner of enforcing the same by execu-
4 tion, and to provide for the redemption of real estate sold under execution
5 or decree," approved March 22, 1872, be and the same is hereby amended,
6 to read as follows:

7 "Section 52. The share or interest of a stockholder in any corporation may
8 be taken on execution, and sold as hereinafter provided; but in all cases,
9 where such share or interest has been sold or pledged in good faith for a val-
10 uable consideration, and the certificate thereof has been delivered upon such
11 sale or pledge, such share or interest shall not be liable to be taken on exe-
12 cution against the vendor or pledgor, except for the excess of the value
13 thereof over and above the sum for which the same may have been pledged
14 and the certificate thereof delivered."



1. Introduced by Mr. Clark, April 6, 1883, and ordered to first reading.
2. First reading April 6, 1883, and referred to Committee on Miscellaneous.
3. Reported back April 13, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section sixty-four, of division one, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixty-four, of division one, of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be amended so as to read as follows:

"Section 64. Any intoxicated person found in any street, highway, or public place, or so found disturbing the peace of the public, or of his own or any other family, in any private building or place, shall, upon the first conviction, be fined five dollars and costs, and upon the second conviction twenty-five dollars and costs; and in either case it shall be a part of the judgment of the court that the defendant stand committed to the county jail until the fine and costs are fully paid, or until he is otherwise discharged according to law; and upon a third conviction the defendant shall be deemed guilty of a misdemeanor, and shall be punished by confinement in the county jail for a term not less than thirty days nor more than six months, in the discretion of the court, and shall pay the costs of prosecution; and upon a fourth or any subsequent conviction the defendant shall be deemed guilty of a felony, and shall be punished by imprisonment in the penitentiary for the term of one year."



1. Introduced by Mr. Clark, April 6, 1883, and ordered to first reading.
2. First reading April 6, 1883, and referred to Committee on Miscellaneous.
3. Reported back April 13, 1883, passage recommended, and ordered to second reading.
4. Second reading April 26, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section sixty four, of division one of an act, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section sixty-four, of division one of an act, entitled
3 "An act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, in force July 1, 1874, be amended, so as to read as follows:
5 "Section 64. Any intoxicated person found in any street, highway or
6 public place, or so found disturbing the peace of the public, or of his own
7 or any other family, in any private building or place, shall, upon the first
8 conviction, be fined five dollars and costs, and upon the second conviction,
9 twenty five dollars and costs; and, in either case, it shall be a part of the
10 judgment of the court that the defendant stand committed to the county
jail until the fine and costs are fully paid, or until he is otherwise discharged
according to law; and upon a third or any subsequent conviction the
defendant shall be deemed guilty of a misdemeanor, and shall be punished
by confinement in the county jail for a term not less than thirty days nor
more than six months, in the discretion of the court, and shall pay the costs
of prosecution."

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1. Reported to House May 24, 1883.
2. First Reading June 6, 1883, and ordered to a second reading.

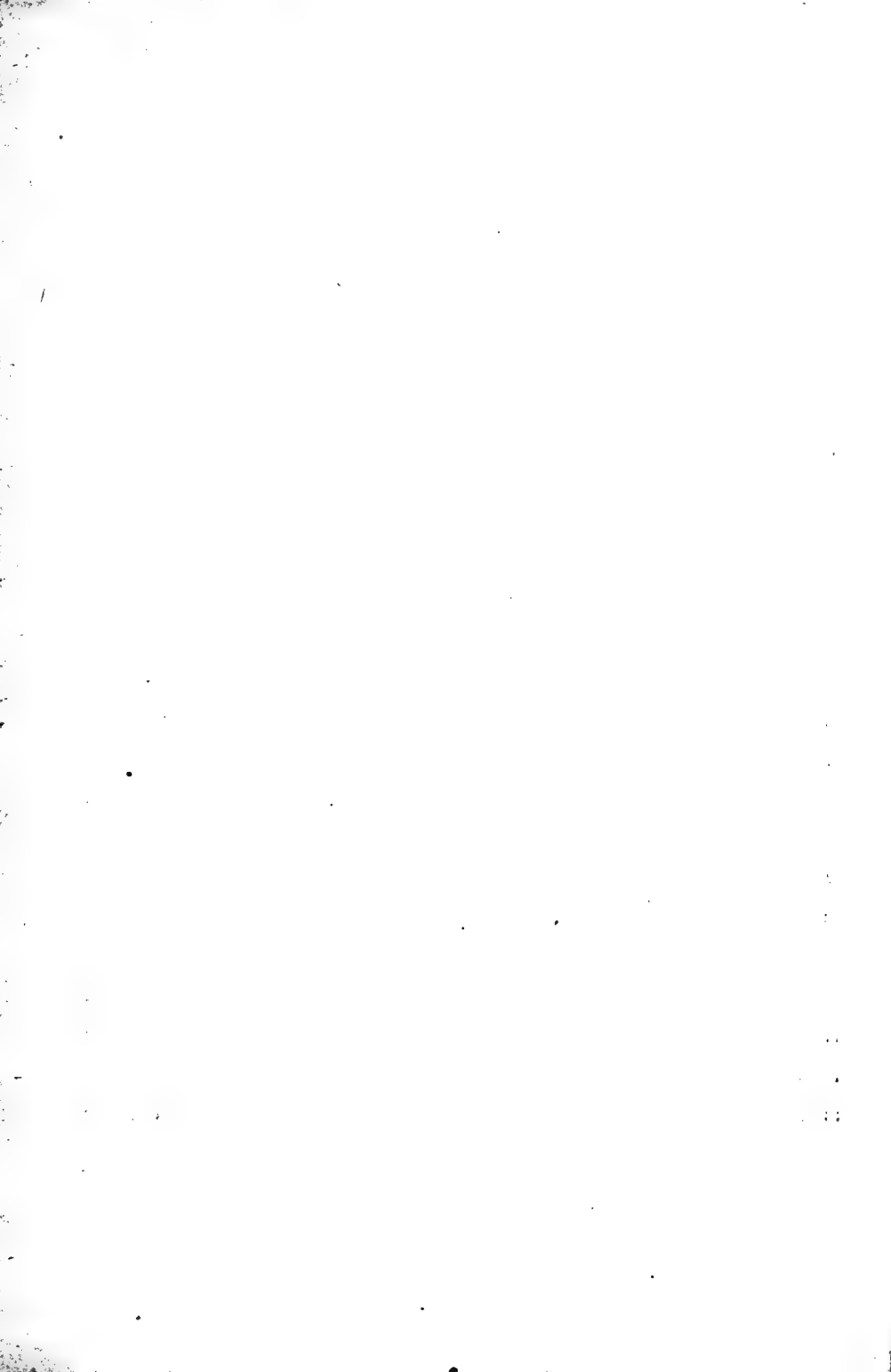
A BILL

For An Act to amend section sixty-four, of division one of an act, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 General Assembly: That section sixty-four, of division one of an act, entitled "An act
3 to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force
4 July 1, 1874, be amended, so as to read as follows:

5 "Section 64. Any intoxicated person found in any street, highway or public place or so
6 found disturbing the peace of the public, or of his own or any other family, in any private
7 building or place, shall, upon the first conviction, be fined five dollars and costs, and upon the
8 second conviction, twenty-five dollars and costs; and, in either case, it shall be a part of the
9 judgment of the court that the defendant stand committed to the county jail until the fine
10 and costs are fully paid, or until he is otherwise discharged according to law; and upon a
11 third or any subsequent conviction the defendant shall be deemed guilty of a misdemeanor, and
12 shall be punished by confinement in the county jail for a term not less than thirty days, nor
13 more than six months, in the discretion of the court, and shall pay the costs of prosecution."



1. Introduced by Mr. Sunderland, April 10, 1883, and ordered to first reading.
2. First reading April 10, 1883, and referred to Committee on Judiciary.
3. Reported back April 25, 1883, with amendment, passage recommended, and ordered to second reading.

AMENDMENT TO SENATE BILL NO. 299, PROPOSED BY COMMITTEE
ON JUDICIARY.

Amend by inserting at the beginning of the paragraph, immediately following the enacting clause of the bill, the word and figures "Section 17."

A BILL

For: An Act to amend section seventeen (17), of an act entitled "An act to establish appellate courts," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seventeen (17) of an act entitled "An act to
3 establish appellate courts," approved June 2, 1877, in force July 1, 1877, be
4 amended, so as to read as follows:

5 "In case the judgment, order or decree from which an appeal or writ of
6 error may have been prosecuted, shall be affirmed by the appellate court,
7 such court shall make an order affirming the same, and shall state briefly in
8 writing the reasons therefor, in actions *ex contractu*, wherein the amount
9 involved is less than one thousand dollars (\$1,000), exclusive of cost, and in
10 all cases sounding in damages wherein the judgment of the court below is
11 less than one thousand dollars (\$1,000), exclusive of cost, and shall file the
12 same with the files in said cause, and in case such judgment, order or

13 decree shall be reversed and the cause remanded to the court, from which
14 such appeal or writ of error shall have been prosecuted, for a new trial
15 therein, said appellate court shall state briefly in writing the reasons for
16 such reversal, and file the same with the files in said cause: *Provided*, that
17 the reasons so filed shall not be of binding authority in any cause or pro-
18 ceeding other than that in which they may be filed or given."

1. Introduced by Mr. Sunderland, April 10, 1883, read first time and referred to Committee on Judiciary.
2. Reported back April 25, 1883, with amendments, passage recommended, and ordered to second reading.
3. Second reading May 8, 1883, and ordered to third reading.

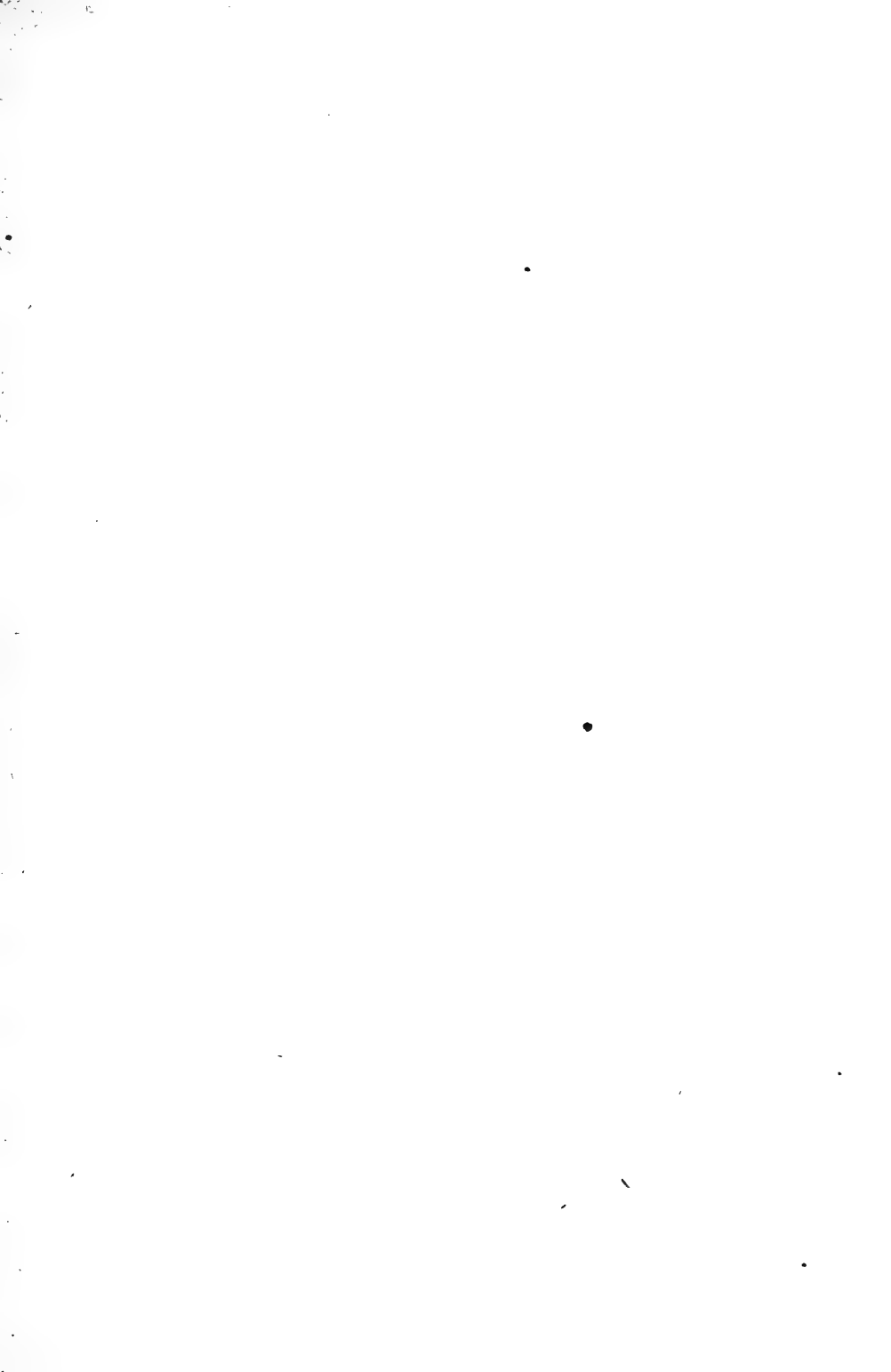
A BILL

For An Act to amend section seventeen (17) of an act entitled "An act to establish appellate courts," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seventeen (17) of an act entitled "An act to
3 establish appellate courts," approved June 2, 1877, in force July 1, 1877, be
4 amended, so as to read as follows:

5 "Section 17. In case the judgment, order or decree from which an appeal
6 or writ of error may have been prosecuted shall be affirmed by the appel-
7 late court, such court shall make an order affirming the same, and shall
8 state briefly in writing the reasons therefor, in actions *ex contractu*, wherein
9 the amount involved is less than one thousand dollars (\$1,000), exclusive of
10 cost, and in all cases sounding in damages wherein the judgment of the
11 court below is less than one thousand dollars (\$1,000), exclusive of cost, and
12 shall file the same with the files in said cause, and in case such judgment,
13 order or decree shall be reversed and the cause remanded to the court from
14 which such appeal or writ of error shall have been prosecuted, for a new
15 trial therein, said appellate court shall state briefly in writing the reasons
16 for such reversal, and file the same with the files in said cause: *Provided,*
17 *that the reasons so filed shall not be of binding authority in any cause or*
18 *proceeding other than that in which they may be filed or given."*



SUBSTITUTE FOR S. B. NO. 335.

1. Introduced by Committee on Municipalities, April 11, 1883, and ordered to first reading.
2. First reading April 11, 1883, and ordered to a second reading.

A BILL

**For An Act to tax, license and regulate lumber dealers lumber brokers and lumber commission
merchants.**

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
2 Assembly: That the city council in cities, and the president and board of trustees in villages,
3 shall have the power to tax, license and regulate lumber dealers, lumber brokers and lumber
4 commission merchants.



-
1. Reported to House, May 18, 1883.
 2. First reading June 6, 1883, and ordered to a second reading.

A BILL

For An Act to tax, license and regulate lumber dealers, lumber brokers and
lumber commission merchants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the city council in cities, and the president and board of trustees in villages, shall have the power to tax, license and regulate lumber dealers, lumber brokers and lumber commission merchants.



1. Introduced by Mr. Gillham, April 11, 1883, and ordered to first reading.
2. First reading April 11, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back April 12, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That on the petition of twenty-five land owners, who
3 are legal voters of any township, to the town clerk thereof, he shall, when
4 giving notice of the time and place for holding the next annual town meet-
5 ing, also give notice that a vote will be taken at said election for or against
6 levying a tax not to exceed one dollar on each one hundred dollars assessed
7 valuation for the previous year, of all the taxable property, including rail-
8 roads in the township, for the purpose of constructing and maintaining
9 gravel, rock, macadam or other hard roads.

§ 2. The ballots at said election shall contain the following form: "For
2 special tax for permanent roads," "Against special tax for permanent roads."

§ 3. If a majority of all the ballots cast at said election shall be in favor
2 of said special tax, then it shall be the duty of the commissioners of high-
3 ways of the township to levy a tax in accordance with said vote, and certify
4 the same to the supervisor of the township, and in Cook county to the
5 county board, stating the amount voted to be levied and rate per cent. of
6 taxation, signed by said commissioners, or a majority of them, on or before
7 the Tuesday next preceding the annual September meeting of the board of
8 supervisors, or the county board of Cook county, who shall cause the same

9 to be extended on the tax books for the current year: *Provided*, that the
 10 length of time for which the special tax levy shall continue shall not exceed
 11 five years, and also the road or roads to be improved must be designated in
 12 the petition. The commissioners may also receive donations in money, labor,
 13 materials or other valuable things, to aid in the construction of said road.

§ 4. The county clerk, when making out the tax books for the State and
 2 county tax for the collector, shall extend the special tax in separate columns
 3 against each tax payer's name or taxable property, as other taxes are
 4 extended, which shall be collected the same as State and county taxes, and
 5 known as the permanent road fund.

§ 5. The treasurer of said commissioners of highways, before receiving
 2 any of said fund, shall execute a good and sufficient bond, with two or more
 3 sureties, to the supervisor of the township, for the benefit of the township,
 4 in double the amount that will probably come into his hands.

§ 6. The tax, when collected, shall be paid to said treasurer as fast as col-
 2 lected, except such rate per cent. as shall be allowed for collecting the same,
 3 and said tax shall be known and kept as the permanent road fund. The
 4 treasurer shall be allowed one per cent. on all of said fund that comes into
 5 his hands.

§ 7. The commissioners of highways shall have power to employ a com-
 2 petent surveyor or civil engineer and their necessary assistants, for the pur-
 3 pose of surveying the route of the road to be improved, and make plans,
 4 specifications and estimates of said work. The commissioners shall cause
 5 the same to be divided into convenient sections, and each section numbered.

§ 8. When the plans and specifications are completed, the commissioners
 2 shall advertise for sealed bids for said work, by publishing a notice thereof
 3 for at least three weeks, in some newspaper published in said township. If
 4 there is no newspaper published therein, then in the newspaper published
 5 nearest said township, and also by posting notices in at least ten of the
 6 most public places in said town.

§ 9. The plans and specifications shall provide for the grading of a road-bed
 2 of not less than twenty feet in width on the surface, and so constructed as to

3 drain freely to the sides, and with all necessary side and lateral ditches and
 4 tile drains, bridges and culverts, and a track laid with gravel, rock, macadam
 5 or other hard and durable substance not less than seven nor more than sixteen
 6 feet in width, and if constructed of gravel or broken stone, not less than
 7 ten inches thick in the center, and eight inches thick on the edges: *Pro-*
 8 *vided, however,* this section shall be considered as directory only, and shall
 9 not prohibit the making of roads of different width or thickness, in the
 10 discretion of the commissioners.

§ 10. The commissioners shall meet at the time and place appointed, for
 2 the purpose of opening the bids, and shall proceed to let the contracts publicly
 3 to the lowest responsible bidder or bidders by sections, with proper speci-
 4 fications of the various kinds of labor or material on each section; and bid-
 5 ders shall be required to separately state their bids for each class of work
 6 in such manner as the commissioners may provide, and each contractor
 7 shall be required to give bond, with good and sufficient sureties, for the
 8 performance of his contract, payable to the commissioners for the use and
 9 benefit of the township, with the necessary specifications and stipulations
 10 on the part of the contractor entered therein. But no commissioner shall
 11 be interested either directly or indirectly in any contract relating in any
 12 manner to said road.

§ 11. If the commissioners shall be of the opinion that the bids are too high,
 2 they may reject the same and adopt such other plans for the construction of
 3 said road or roads as may seem best for the interest of the township.

§ 12. The commissioners shall cause their surveyor or engineer to make esti-
 3 mates of the work done, and certify to the same, not oftener than once in thirty
 4 days, as may have been provided in the contracts, and shall then issue an order
 5 on their treasurer in favor of the contractor, reserving not less than twenty
 6 per cent. of said estimates, to guarantee the completion of the contract. Upon
 7 the completion of the contract the commissioners and engineer shall make a
 8 thorough and complete examination and estimate of said work, and, if found
 9 in accordance with the specifications of the contract, the commissioners shall
 issue their order on the treasurer for the full amount due the contractor.

§ 13. The commissioners shall keep a full and accurate record of all their proceedings under this act, and shall, upon the completion of the road, file with the town clerk all records, papers, plans, plats, estimates, specifications and contracts, and shall make a full report to, and settlement with, the board of town auditors at all regular meetings of the same. If the commissioners fail to make such settlement, the supervisor shall cause an action to be instituted against them, in the corporate name of the township, to enforce such settlement.

§ 14. The commissioners may, in their discretion, cause the road to be constructed wholly of earth, and by a thorough system of tile and other drainage, when gravel, stone and other suitable hard materials cannot be obtained at a cost within the means in the hands of the commissioners.

§ 15. The commissioners, for the purpose of constructing, maintaining or repairing gravel, rock, macadam or other hard roads, as provided in this act, and for procuring materials therefor, may enter upon lands of others, doing no more damage than the necessity of the case may require, and take therefrom such material as is necessary for the construction and repairing of said roads: *Provided*, that the commissioners of highways, their employees or teams, shall not enter upon such lands for the purpose in this section stated, without having paid or tendered the amount of damage allowed or agreed upon: *Provided*, that the commissioners and the party or parties owning or controlling the lands to be entered upon, or from which material is to be taken, cannot agree as to the amount of damage or value of material, that the amount of damage shall be determined in the same manner as provided for in the laying out and opening of new roads in townships under township organization, or in counties not under township organization, as the case may be.

§ 16. The commissioners shall receive the same compensation for their service under this act as for service under the common road law: *Provided*, they shall not receive pay for both kinds of service on the same day. The surveyor or engineer shall receive a compensation not to exceed that allowed by law to county surveyors. The assistants or employees shall receive such reasonable compensation as may be agreed upon. The commissioners

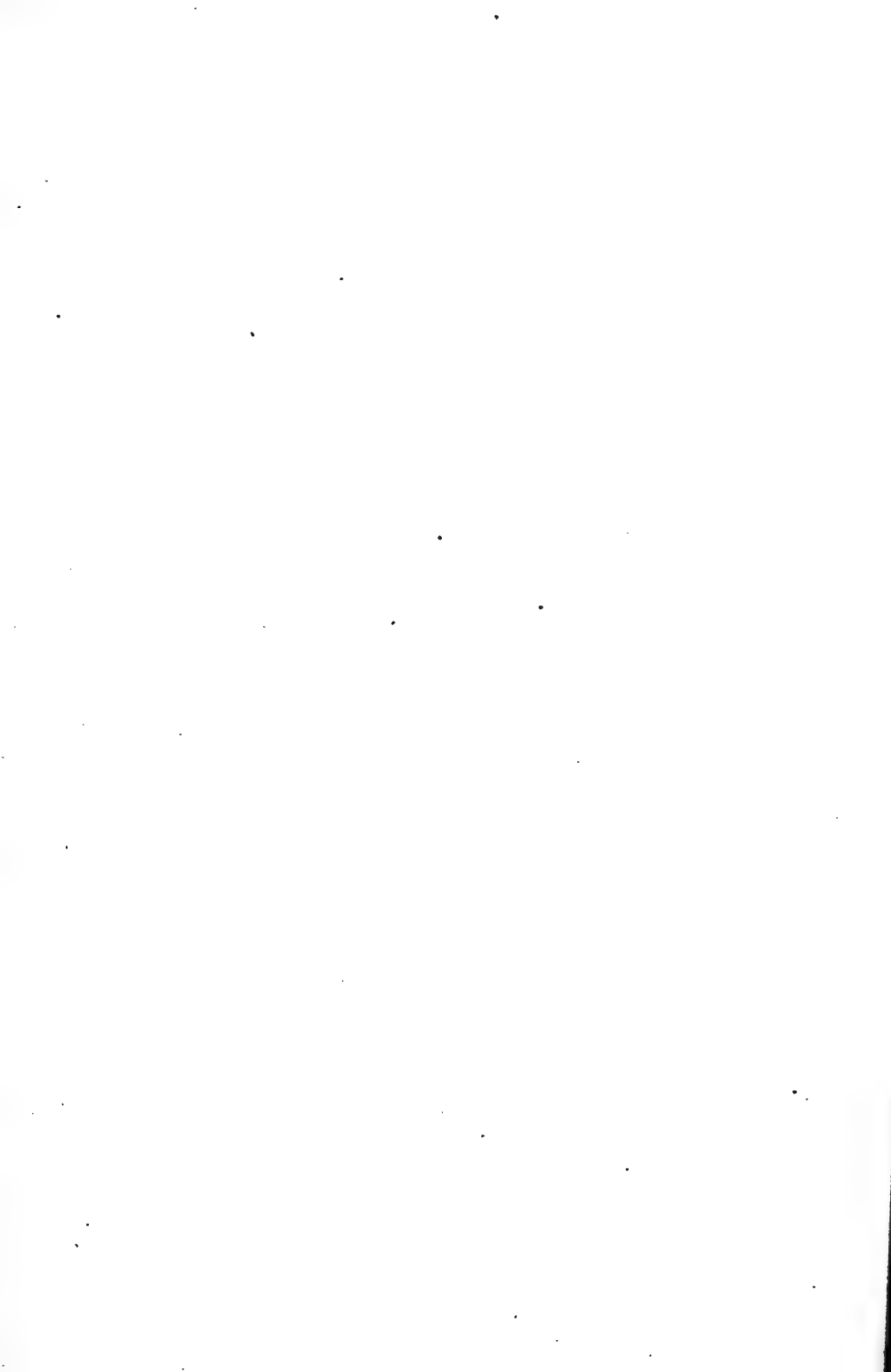
7 shall be paid by the supervisor out of the town fund. The surveyors and
 8 other employees shall be paid by the commissioner out of the permanent
 9 road fund.

§ 17. The several county boards of counties not under township organiza-
 2 tion are hereby vested with the same powers for constructing, repairing and
 3 maintaining gravel, rock, macadam or other hard roads, in their respective
 4 counties, as the commissioners of highways in their respective townships, by
 5 the provisions of this act: *Provided, however,* that the question of raising a
 6 special permanent road tax for the purpose set forth in this act shall first
 7 be submitted to the legal voters of the county, at any regular election for
 8 county officers, on the petition of one hundred land owners, who are legal
 9 voters residing in said county, to the county clerk, previous to the time of
 10 posting the notices for said county election, said petition and notices to des-
 11 ignate the road or roads to be improved, and number of years—not to ex-
 12 ceed five—for which the tax shall be continued.

§ 18. The ballots shall be in the form prescribed in section 2, of this act.
 2 If a majority of all the ballots cast at said election shall be in favor of the
 3 special permanent road tax, it shall then be the duty of the county board
 4 to direct the county clerk to extend such tax against all the taxable prop-
 5 erty, including railroads in said county, and proceed in the construction of
 6 the road or roads voted for, in the same manner as provided for the guid-
 7 ance of commissioners of highways in their respective townships.

§ 19. All roads constructed under the provisions of this act, either by
 2 townships under township organization, or by counties in counties not under
 3 township organization, shall be free for public travel, and kept in repair by
 4 the proper authorities.

§ 20. All surplus funds remaining in the hands of the treasurer after the
 2 completion of such roads, shall be turned over to the common road fund of
 3 said township or county, as the case may be, except so much thereof as the
 4 commissioners may order retained for the purpose of repairing said perma-
 5 nent roads.



1. Introduced by Mr. Gillham, April 11, 1883, and ordered to first reading.
2. First reading April 11, 1883, and referred to *Committee on Roads, Highways and Bridges
3. Reported back April 12, 1883, passage recommended, and ordered to second reading.
4. Second reading April 26 and May 2, 1883, amended and ordered to third reading.

A BILL

For An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That on the petition of fifty land owners, who are legal
3 voters of any township, to the town clerk thereof, in counties under town-
4 ship organization, or road districts in counties not under township organiza-
5 tion, to the county clerk, he shall, when giving notice of the time and place
6 for holding the next annual town meeting, or road district meeting, also give
7 notice that a vote will be taken at said election for or against levying a tax
8 not to exceed one dollar on each one hundred dollars assessed valuation of
9 all the taxable property, including railroads, in the township, or road dis-
10 tricts, for the purpose of constructing and maintaining gravel, rock, macadam
11 or other hard roads; said petition shall state the location and route of the
12 proposed road or roads, not exceeding two; and shall also state the rate per
13 cent., not exceeding one dollar on each one hundred dollars, and the number
14 of years, not exceeding five, for which said tax shall be levied.

§ 2. The ballots at said election shall contain the following form: "For
2 special tax for gravel, rock, macadam or other hard roads," "Against special
3 tax for gravel, rock, macadam or other hard roads."

§ 3. If a majority of all the ballots cast at said election shall be in favor of said special tax, then it shall be the duty of the commissioners of highways of the township or road district to levy a tax in accordance with said vote, and certify the same to the town clerk in counties under township organization, or to the district clerk in counties not under township organization, as the case may be, who shall certify the amount voted to the county clerk, who shall cause the same to be extended on the tax books for the current year: *Provided*, that the length of time for which the special tax levy shall continue shall not exceed five years, and also the road or roads to be improved must be designated in the petition. The commissioners may also receive donations in money, labor, materials or other valuable things, to aid in the construction of said road.

§ 4. The county clerk, when making out the tax books for the State and county tax for the collector, shall extend the special tax in separate columns against each tax payer's name or taxable property, as other taxes are extended, which shall be collected the same as State and county taxes, and known as the permanent road fund.

§ 5. The treasurer of said commissioners of highways, before receiving any of said fund, shall execute a good and sufficient bond, with two or more sureties, to be filed with the town clerk, or board of highway commissioners, in counties not under township organization, for the benefit of the township, or board of highway commissioners in counties not under township organization, in double the amount that will probably come into his hands.

§ 6. The tax, when collected, shall be paid to said treasurer as fast as collected, except such rate per cent. as shall be allowed for collecting the same, and said tax shall be known and kept as the permanent road fund. The treasurer shall be allowed one per cent. on all of said fund that comes into his hands.

§ 7. The commissioners of highways shall have power to employ a competent surveyor or civil engineer and their necessary assistants, for the purpose of surveying the route of the road to be improved, and make plans, specifications and estimates of said work. The commissioners shall cause the same to be divided into convenient sections, and each section numbered.

§ 8. When the plans and specifications are completed, the commissioners shall advertise for sealed bids for said work, by publishing a notice thereof for at least three weeks, in some newspaper published in said township. If there is no newspaper published therein, then in the newspaper published nearest said township, and also by posting notices in at least ten of the most public places in said town.

§ 9. The plans and specifications shall provide for the grading of a road-bed of not less than twenty feet in width on the surface, and so constructed as to drain freely to the sides, and with all necessary side and lateral ditches and tile drains, bridges and culverts, and a track laid with gravel, rock, macadam or other hard and durable substance not less than seven nor more than sixteen feet in width, and if constructed of gravel or broken stone, not less than ten inches thick in the center, and eight inches thick on the edges: *Provided, however*, this section shall be considered as directory only, and shall not prohibit the making of roads of different width or thickness, in the discretion of the commissioners.

10. The commissioners shall meet at the time and place appointed, for the purpose of opening the bids, and shall proceed to let the contracts publicly to the lowest responsible bidder or bidders by sections, with proper specifications of the various kinds of labor or material on each section; and bidders shall be required to separately state their bids for each class of work in such manner as the commissioners may provide and each contractor shall be required to give bond with good and sufficient sureties, for the performance of his contract, payable to the commissioners for the use and benefit of the township, with the necessary specifications and stipulations on the part of the contractor entered therein. But no commissioner shall be interested either directly or indirectly in any contract relating in any manner to said road.

§ 11. If the commissioners shall be of the opinion that the bids are too high, they may reject the same. No contract shall be deemed as let unless the contractor shall, within ten days after the letting, enter into contract and file a bond with two good and sufficient sureties with the commissioners, in the penal

5 sum of double the amount of the contract, payable to the commissioners
6 upon the failure to comply with the conditions of his or their contract.

§ 12. The commissioners shall cause their surveyor or engineer to make esti-
2 mates of the work done, and certify to the same, not oftener than once in thirty
3 days, as may have been provided in the contracts, and shall then issue an order
4 on their treasurer in favor of the contractor, reserving not less than twenty
5 per cent. of said estimates, to guarantee the completion of the contract. Upon
6 the completion of the contract the commissioners and engineer shall make a
7 thorough and complete examination and estimate of said work, and, if found
8 in accordance with the specifications of the contract, the commissioners shall
9 issue their order on the treasurer for the full amount due the contractor.

§ 13. The commissioners shall keep a full and accurate record of all their
2 proceedings under this act, and shall, upon the completion of the road, file with
3 the town clerk all records, papers, plans, plats, estimates, specifications and con-
4 tracts, and shall make a full report to, and settlement with the board of town
5 auditors at all regular meetings of the same. If the commissioners fail to
6 make such settlement, the supervisor shall cause an action to be instituted
7 against them, in the corporate name of the township, to enforce such set-
8 tlement.

§ 14. The commissioners may, in their discretion, cause the road to be con-
2 structed wholly of earth, and by a thorough system of tile and other drainage,
3 when gravel, stone and other suitable hard materials cannot be obtained at a
4 cost within the means in the hands of the commissioners.

§ 15. The commissioners, for the purpose of constructing, maintaining or re-
2 pairing gravel, rock, macadam or other hard roads, as provided in this act, and
3 for procuring materials therefor, may enter upon lands of others, doing no more
4 damage than the necessity of the case may require, and take therefrom such
5 material as is necessary for the construction and repairing of said roads:
6 *Provided*, that the commissioners of highways, their employees or teams,
7 shall not enter upon such lands for the purpose in this section stated, with-
8 out having paid or tendered the amount of damage allowed or agreed upon:
9 *Provided*, that the commissioners and the party or parties owning or con-

10 trolling the lands to be entered upon, or from which material is to be taken,
 11 cannot agree as to the amount of damage or value of material, that the
 12 amount of damage shall be determined as provided for in the law for exer-
 13 cising the right of eminent domain.

§ 16. The commissioners shall receive the same compensation for their
 2 service under this act as for service under the common road law: *Provided*,
 3 they shall not receive pay for both kinds of service on the same day. The
 4 surveyor or engineer shall receive a compensation not to exceed that al-
 5 lowed by law to county surveyors. The assistants or employees shall receive
 6 such reasonable compensation as may be agreed upon. The commissioners
 7 shall be paid by the supervisor out of the town fund. The surveyors and
 8 other employees shall be paid by the commissioner out of the permanent
 9 road fund.

§ 17. The several county boards of counties not under township organiza-
 2 tion are hereby vested with the same powers for constructing, repairing and
 3 maintaining gravel, rock, macadam or other hard roads, in their respective
 4 counties, as the commissioners of highways in their respective townships, by
 5 the provisions of this act: *Provided however*, that the question of raising a
 6 special permanent road tax for the purpose set forth in this act shall first
 7 be submitted to the legal voters of the county, at any regular election for
 8 county officers, on the petition of one hundred land owners, who are legal
 9 voters residing in said county, to the county clerk, previous to the time of
 10 posting the notices for said county election; said petition and notices to des-
 11 ignate the road or roads to be improved, and number of years—not to exceed
 12 five—for which the tax shall be continued.

§ 18. The ballots shall be in the form prescribed in section 2 of this act.
 2 If a majority of all the ballots cast at said election shall be in favor of the
 3 special permanent road tax, it shall then be the duty of the county board
 4 to direct the county clerk to extend such tax against all the taxable prop-
 5 erty, including railroads in said county, and proceed in the construction of
 6 the road or roads voted for, in the same manner as provided for the guid-
 7 ance of commissioners of highways in their respective townships.

§ 19. All roads constructed under the provisions of this act, either by
2 townships under township organization, or by counties in counties not under
3 township organization, shall be free for public travel, and kept in repair by
4 the proper authorities.

§ 20. All surplus funds remaining in the hands of the treasurer after the
2 completion of such roads, shall be turned over to the common road fund of
3 said township or road district, as the case may be, except so much thereof as
4 the commissioners may order retained for the purpose of repairing said per-
5 manent roads.

1. Reported to House May 16, 1883.
2. First reading May 16, 1883, and referred to Committee on Roads, Highways and Bridges.
3. Reported back, passage recommended, report concurred in, and ordered to second reading May 17, 1883.

A BILL

For An Act to authorize the construction and maintenance of gravel, rock, macadam or other hard roads.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That on the petition of fifty land owners, who are legal
3 voters of any township, to the town clerk thereof, in counties under town-
4 ship organization, or road districts in counties not under township organiza-
5 tion, to the county clerk, he shall, when giving notice of the time and place
6 for holding the next annual town meeting, or road district meeting, also give
7 notice that a vote will be taken at said election for or against levying a tax
8 not to exceed one dollar on each one hundred dollars assessed valuation of
9 all the taxable property, including railroads, in the township, or road dis-
10 tricts, for the purpose of constructing and maintaining gravel, rock, macadam
11 or other hard roads; said petition shall state the location and route of the
12 proposed road or roads, not exceeding two; and shall also state the rate per
13 cent, not exceeding one dollar on each one hundred dollars, and the number
14 of years, not exceeding five, for which said tax shall be levied.

§ 2. The ballots at said election shall contain the following form: "For
2 special tax for gravel, rock, macadam or other hard roads," "Against special
3 tax for gravel, rock, macadam or other hard roads."

§ 3. If a majority of all the ballots cast at said election shall be in favor
2 of said special tax, then it shall be the duty of the commissioners of high-

ways of the township or road district to levy a tax in accordance with said vote, and certify the same to the town clerk in counties under township organization, or to the district clerk in counties not under township organization, as the case may be, who shall certify the amount voted to the county clerk, who shall cause the same to be extended on the tax books for the current year: *Provided*, that the length of time for which the special tax levy shall continue shall not exceed five years, and also the road or roads to be improved must be designated in the petition. The commissioners may also receive donations in money, labor, materials or other valuable things, to aid in the construction of said road.

§ 4. The county clerk, when making out the tax books for the State and county tax for the collector, shall extend the special tax in separate columns against each tax payer's name or taxable property, as other taxes are extended, which shall be collected the same as State and county taxes, and known as the permanent road fund.

§ 5. The treasurer of said commissioners of highways, before receiving any of said fund, shall execute a good and sufficient bond, with two or more sureties, to be filed with the town clerk, or board of highway commissioners, in counties not under township organization, for the benefit of the township, or board of highway commissioners in counties not under township organization, in double the amount that will probably come into his hands.

§ 6. The tax, when collected, shall be paid to said treasurer as fast as collected, except such rate per cent. as shall be allowed for collecting the same, and said tax shall be known and kept as the permanent road fund. The treasurer shall be allowed one per cent on all of said fund that comes into his hands.

§ 7. The commissioners of highways shall have power to employ a competent surveyor or civil engineer and their necessary assistants, for the purpose of surveying the route of the road to be improved, and make plans, specifications and estimates of said work. The commissioners shall cause the same to be divided into convenient sections, and each section numbered.

§ 8. When the plans and specifications are completed, the commissioners shall advertise for sealed bids for said work, by publishing a notice thereof for at least three weeks, in some newspaper published in said township. If there is no newspaper published therein, then in the newspaper published nearest said township, and also by posting notices in at least ten of the most public places in said town.

§ 9. The plans and specifications shall provide for the grading of a road-bed of not less than twenty feet in width on the surface, and so constructed as to drain freely to the sides, and with all necessary side and lateral ditches and tile drains, bridges and culverts, and a track laid with gravel, rock, macadam or other hard and durable substance not less than seven nor more than sixteen feet in width, and if constructed of gravel or broken stone, not less than ten inches thick in the center, and eight inches thick on the edges: *Provided, however*, this section shall be considered as directory only, and shall not prohibit the making of roads of different width or thickness, in the discretion of the commissioners.

§ 10. The commissioners shall meet at the time and place appointed, for the purpose of opening the bids, and shall proceed to let the contracts publicly to the lowest responsible bidder or bidders by sections, with proper specifications of the various kinds of labor or material on each section; and bidders shall be required to separately state their bids for each class of work in such manner as the commissioners may provide, and each contractor shall be required to give bond with good and sufficient sureties, for the performance of his contract, payable to the commissioners for the use and benefit of the township, with the necessary specifications and stipulations on the part of the contractor entered therein. But no commissioner shall be interested, either directly or indirectly, in any contract relating in any manner to said road.

§ 11. If the commissioners shall be of the opinion that the bids are too high, they may reject the same. No contract shall be deemed let unless the contractor shall, within ten days after the letting, enter into contract and file a bond with two good and sufficient sureties with the commissioners, in the penal

5 sum of double the amount of the contract, payable to the commissioners
6 upon the failure to comply with the conditions of his or their contract.

§ 12. The commissioners shall cause their surveyor or engineer to make
2 estimates of the work done, and certify to the same, not oftener than once in
3 thirty days, as may have been provided in the contracts, and shall then issue
4 an order on their treasurer in favor of the contractor, reserving not less than
5 twenty per cent. of said estimates, to guarantee the completion of the contract.
6 Upon the completion of the contract the commissioners and engineer shall
7 make a thorough and complete examination and estimate of said work, and
8 if found in accordance with the specifications of the contract, the commissioners
9 shall issue their order on the treasurer for the full amount due the contractor.

§ 13. The commissioners shall keep a full and accurate record of all their
2 proceedings under this act, and shall, upon the completion of the road, file
3 with the town clerk all records, papers, plans, plats, estimates, specifications
4 and contracts, and shall make a full report to, and settlement with the board
5 of town auditors at all regular meetings of the same. If the commissioners
6 fail to make such settlement, the supervisor shall cause an action to be
7 instituted against them, in the corporate name of the township, to enforce
8 such settlement.

§ 14. The commissioners may, in their discretion, cause the road to be con-
2 structed wholly of earth, and by a thorough system of tile and other drainage,
3 when gravel, stone and other suitable hard materials cannot be obtained at
4 a cost within the means in the hands of the commissioners.

§ 15. The commissioners for the purpose of constructing, maintaining or re-
2 pairing gravel, rock, macadam or other hard roads, as provided in this act, and
3 for procuring materials therefor, may enter upon lands of others, doing no more
4 damage than the necessity of the case may require, and take therefrom such
5 material as is necessary for the construction and repairing of said roads:
6 *Provided*, that the commissioners of highways, their employees or teams,
7 shall not enter upon such lands for the purpose in this section stated, with-
8 out having paid or tendered the amount of damage allowed or agreed upon:
9 *Provided*, that the commissioners and the party or parties owning or con-

10 troling the lands to be entered upon, or from which material is to be taken,
 11 cannot agree as to the amount of damage or value of material, that the
 12 amount of damage shall be determined as provided for in the law for exer-
 13 cising the right of eminent domain.

§ 16. The commissioners shall receive the same compensation for their
 2 service under this act as for service under the common road law: *Provided*,
 3 they shall not receive pay for both kinds of service on the same day. The
 4 surveyor or engineer shall receive a compensation not to exceed that allowed
 5 by law to county surveyors. The assistants or employees shall receive such
 6 reasonable compensation as may be agreed upon. The commissioners shall
 7 be paid by the supervisor out of the town fund. The surveyors and
 8 other employees shall be paid by the commissioner out of the permanent road
 9 fund.

§ 17. The several county boards of counties not under township organiza-
 2 tion are hereby vested with the same powers for constructing, repairing and
 3 maintaining gravel, rock, macadam or other hard roads, in their respective
 4 counties, as the commissioners of highways in their respective townships, by
 5 the provisions of this act: *Provided, however*, that the question of raising a
 6 special permanent road tax for the purpose set forth in this act shall first
 7 be submitted to the legal voters of the county, at any regular election for
 8 county officers, on the petition of one hundred land owners, who are legal
 9 voters residing in said county, to the county clerk, previous to the time of
 10 posting the notices for said county election; said petition and notices to des-
 11 ignate the road or roads to be improved, and number of years—not to exceed
 12 five—for which the tax shall be continued.

§ 18. The ballots shall be in the form prescribed in section 2 of this act.
 2 If a majority of all the ballots cast at said election shall be in favor of the
 3 special permanent road tax, it shall then be the duty of the county board
 4 to direct the county clerk to extend such tax against all the taxable prop-
 5 erty, including railroads in said county, and proceed in the construction of
 6 the road or roads voted for, in the same manner as provided for the guid-
 7 ance of commissioners of highways in their respective townships.

§ 19. All roads constructed under the provisions of this act, either by
2 townships under township organization, or by counties in counties not under
3 township organization, shall be free for public travel, and kept in repair by
4 the proper authorities.

§ 20. All surplus funds remaining in the hands of the treasurer after the
2 completion of such roads, shall be turned over to the common road fund of
3 said township or road district, as the case may be, except so much thereof
4 as the commissioners may order retained for the purpose of repairing said
5 permanent roads.

1. Introduced by Mr. Hamilton, April 11, 1883, and ordered to first reading.
2. First reading April 11, 1883, and referred to Committee on County and Township Organization.
3. Reported back April 12, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to amend section seven of article seven of an act entitled, 'An act to revise the law in relation to township organization,'" approved and in force March 4, 1874, approved and in force March 9, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 7 of article 7, of an act to amend section 7 of article 7 of an act entitled "An act to revise the law in relation to township organization," approved and in force March 9, 1877, be and the same is hereby amended, so as to read as follows, to-wit:

"Section 7. [BALLOT BOXES—POLLING PLACES—CANVASS—TOWN MEETING.] The town shall supply a suitable ballot-box or boxes to be kept and used in like manner as ballot-boxes in other elections. In incorporated towns, or incorporated villages, whose limits are co-extensive with the limits of a town, or in any organized town where the number of voters at the last preceding general election exceeded three hundred, the county board may require one or more additional ballot-boxes and places for the reception of votes to be provided, which places shall be selected with reference to the convenience of the electors of the town, and shall designate at which of said polling places the town clerk shall act as clerk of the election; and such polling place, when so designated, shall be the place for transacting the miscellaneous business of the town. And when several places are so provided, the electors present shall choose from their number one assistant moderator and one assistant clerk, for each additional ballot-box, to receive the votes therein, who shall take the same oath and be subject to the same penalties as the moderator and clerk, and shall be under the direction of the moderator. At the closing of the polls all the said ballot-boxes shall be brought together at the polling place where the town

19 clerk acts as clerk of the election, and the votes shall be canvassed at the same time and in the
 20 same manner, and return thereof made the same as if all the votes had been cast in the same
 21 ballot-box. When there shall be more than one polling place designated in such towns, the
 22 general meeting for the transaction of business shall be held at the time hereafter mentioned at
 23 the polling place where the town clerk acts as clerk of the town election; or, if there be no town
 24 clerk, then at such place as shall be designated by the county clerk. And it shall be the duty
 25 of the town clerk, or if there be no town clerk, it shall be the duty of the county clerk to post
 26 up in three of the most public places in the town, a notice of each of the places in the town
 27 where the county board have directed and required the election to be held: *Provided, however,*
 28 that in towns which lie wholly within the limits of an incorporated city, the common council of
 29 such city shall divide each of such towns into election precincts, and designate the voting places
 30 in each precinct; and any elector in such town shall be entitled to vote for town officers only in
 31 the precinct in which he may reside. The common council of such city shall also appoint three
 32 judges of election for each of such precincts, who shall be the same persons as are appointed as
 33 judges for an election for city officers held on the same day. Such judges of election may choose
 34 two clerks of election for each precinct, and such judges and clerks shall take the oath of office
 35 now prescribed by the general election law of the State. And when the election for city and
 36 town officers shall take place on the same day, the names of persons for which the elector intends
 37 to vote, for either city or town office, shall be placed on the same ballot, and the office to which
 38 he desires each to be elected shall be designated upon such ballot. The said judges shall keep
 39 a poll list which shall contain the names of all persons voting at such election for both town and
 40 city offices, together with their residences. And immediately upon the closing of the polls said
 41 judges shall canvass the votes so polled in the manner provided for by the general election law
 42 of the State, and make a written certificate of the number of votes cast at such election for each
 43 person voted for, either for a city or town office, and the office for which such person received
 44 such votes, and shall, within forty-eight hours thereafter, cause such certificate and the poll list,
 45 together with the ballots cast at such election, to be separately sealed up and transmitted to the
 46 clerk of such city. The common council of such city shall, at the time prescribed by its ordi-
 47 nance, meet and canvass such returns, both for city and town officers, and declare the result of
 48 such election, and the clerk of such city shall, within two days after such canvass is completed,
 49 deliver to the town clerk a certified list of the town officers elected at such election, to be by the
 50 town clerk filed in his office. The town meetings to be held in such towns for the transaction
 51 of town business, as now provided by law, shall be held at two o'clock in the afternoon of said

52 day at such voting place in such town as the common council of such city may designate, at
53 which meeting a moderator shall be chosen to preside by the electors present, and the town
54 clerk shall act as clerk of said meeting, and keep a record of the proceedings thereof. .



1. Introduced by Mr. Hamilton, April 11, 1883, and ordered to first reading.
2. First reading April 11, 1883, and referred to Committee on County and Township Organization.
3. Reported back April 18, 1883, passage recommended, and ordered to second reading.
4. Second reading May 1, 1883, amended and ordered to third reading.

A BILL

For An Act to further amend section seven, of article seven of an act, entitled
 "An act to revise the law in relation to township organization," approved and
 in force March 4, 1874, as amended by an act approved and in force March
 9, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section seven, of article seven of an act entitled "An
 3 act to revise the law in relation to township organization," approved and in
 4 force March 4, 1874, as amended by an act approved and in force March 9, 1877,
 5 be and the same is hereby further amended, so as to read as follows, to-wit:
 6 "Section 7. The town shall supply a suitable ballot-box or boxes to be kept
 7 and used in like manner as ballot boxes in other elections. In incorporated
 8 towns, or incorporated villages, whose limits are co-extensive with the limits
 9 of a town, or in any organized town where the number of voters at the last
 10 preceding general election exceeded three hundred, the county board may
 11 require one or more additional ballot boxes and places for the reception of
 12 votes to be provided; which places shall be selected with reference to the
 13 convenience of the electors of the town, and shall designate at which of
 14 said polling places the town clerk shall act as clerk of the election; and
 15 such polling place, when so designated, shall be the place for transacting
 16 the miscellaneous business of the town. And when several places are so
 17 provided, the electors present shall choose from their number one additional

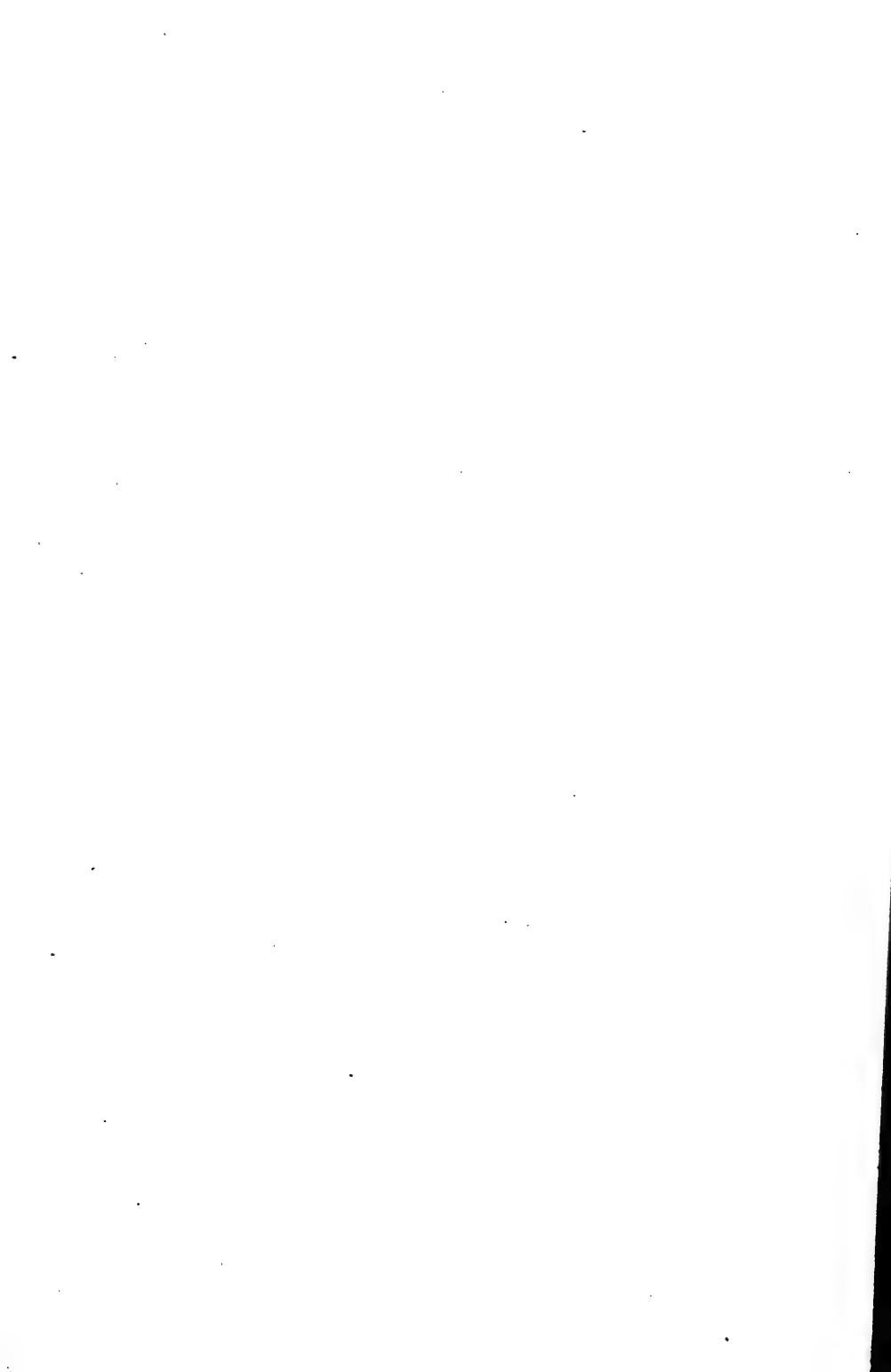
1. Introduced by Mr. Fifer, April 11, 1883, read first time, and referred to Committee on Judicial Department.
2. Reported back, passage recommended, and ordered to second reading.

A BILL

For An Act to regulate the taking of judgments by confession.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter no judgment shall be entered in confession by virtue of any power of attorney or otherwise, in any county other than in the county where the defendant or defendants reside: *Provided, however,* that where there is more than one defendant, and such defendants reside in different counties, the judgment may be entered in either county where any one of the defendants reside.

§ 2. This act shall not apply to any case where the defendant or defendants are not residents of the State of Illinois.



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1. Introduced by Mr. Bell, April 12, 1883, read first time, and referred to Committee on Judicial Department.
 2. Reported back April 19, 1883, passage recommended, and ordered to second reading.
-

A BILL

For An Act amendatory to the criminal laws of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any president of a bank of deposit, or any cashier or other person who shall have the control, receipt, disbursement or handling of any moneys of such bank, or any public officer in whose hands any public moneys are by law entrusted, who shall play for money or other valuable thing, at any game with cards, dice, checks, or at billiards, or with any article or instrument or thing whatsoever, which may be used in betting upon, or winning or losing money, or any other thing or article of value, or shall bet on any game others may be playing, or shall deal in what are known as options or futures in the buying and selling of grain or other commodity, shall be deemed guilty of a felony, and upon conviction thereof shall be confined for not less than one nor more than three years in the State penitentiary.



-
1. Introduced by Mr. Bell, April 12, 1883, and ordered to first reading.
 2. First reading, April 12, 1883, and referred to Committee on Judicial Department.
 3. Reported back, April 19, 1883, passage recommended, and ordered to second reading.
 4. Second reading, May 4, 1883, amended and ordered to third reading.
-

A BILL

For An Act amendatory to the criminal laws of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That whenever any president of a bank of deposit, or any
3 cashier or other person who shall have the control, receipt, disbursement or
4 handling of any moneys of such bank, or any public officer in whose hands
5 any public moneys are by law entrusted, who shall deal in what are known
6 as options or futures in the buying and selling of grain or other commodity,
7 shall be deemed guilty of a felony, and upon conviction thereof shall be
8 confined for not less than one nor more than three years in the State
9 penitentiary.

-
1. Introduced by Mr. Hogan, April 12, 1883, and ordered to first reading.
 2. First reading April 12, 1883, and referred to Committee on Fees and Salaries.
 3. Reported back April 18, 1883, passage recommended and ordered to second reading.
-

A BILL

For An Act to amend an act entitled "An act to revise the law in relation to costs," approved February 11, 1874, in force July 1, 1874.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
- 2 *Assembly:* That an act entitled "An act to revise the law in relation to costs," be amended by
- 3 adding the following section:
- 4 "Section 29. The clerk of any court in this State may at any time issue a fee bill against any
- 5 party making costs in said court, for the costs so made by such party."

1. Introduced by the Committee on Penal and Reformatory Institutions, April 13, 1883, and ordered to first reading.
2. First reading April 13, 1883, and referred to Committee on Appropriations.
3. Reported back, with amendments, April 27, 1883, passage recommended, and ordered to second reading.

**AMENDMENTS TO S. B. NO. 409, RECOMMENDED BY COMMITTEE ON
APPROPRIATIONS.**

Amend by adding to the bill, after section three, the following:

2 "Section 4. For the erection of that portion of the wall of said prison, ex-
3 tending north from the north end of the present cellhouse, fifteen hundred
4 dollars (\$1,500.)

5 For the erection of a shop for stone-cutters, one thousand dollars (\$1,000.)

6 For building a sewer on the north side of the prison yard, four thousand
7 five hundred dollars (\$4,500.)

8 For the erection of an ice-house 80x40x20, having a capacity to store 1,650
9 tons; building to be of stone and brick and truss roof covered with shingles,
10 three thousand dollars (\$3,000.)

11 Section 5. The Auditor of Public Accounts is hereby authorized and
12 instructed to draw his warrant on the treasurer for said sums, payable to
13 the order of the commissioners, upon receiving the certificate of the com-
14 missioners of said penitentiary, approved by the Governor, that said money
15 is necessary for the purposes contemplated by this act."

16 Amend the title of the bill by inserting after the word "penitentiary,"
17 where it occurs the second time in the title thereof, the following: "And for
18 the erection of certain buildings and improvements."

A BILL

For An Act to authorize the commissioners of the Southern Illinois Penitentiary, at Chester, to purchase land for the use of the penitentiary, and to make appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the commissioners of the Southern Illinois Peniten-
 3 tiary, at Chester, be, and are hereby authorized to purchase for the use of said
 4 penitentiary, the following tracts of land, to-wit: That portion of the fractional
 5 southwest quarter of section fourteen (14), township seven (7) south, range
 6 seven (7) west, not contained in survey No. 540, claim No. 292, containing one
 7 hundred and three and seventy-two one-hundredths (103 72/100) acres, more or
 8 less. Also, that portion of the fractional southeast quarter of said section lying
 9 between said survey and the ground belonging to the Southern Illinois Peniten-
 10 tiary, containing thirty-two and two one-hundredths (32 2/100) acres, more or
 11 less. Also, that part of the northwest quarter of the northeast quarter of
 12 section twenty-three (23), containing five and sixty-five one-hundredths (5 65/100)
 13 acres, more or less; and that portion of the northeast quarter of the northwest
 14 quarter of said section twenty-three (23), containing six and sixty-five one-
 15 hundredths (6 65/100) acres, lying north of the Mississippi river and adjoining
 16 said penitentiary grounds on the west, all in Randolph county, State of Illinois,
 17 for the sum of three thousand dollars (\$3,000.) Also the lot on which is situated
 18 the sand-stone quarry from which the present buildings of said penitentiary
 19 are constructed, containing five (5) acres, more or less, for the sum of one
 20 thousand dollars (\$1,000): *Provided*, a good and valid title can be made for
 21 said tracts of land to the State by the present owners thereof.

§ 2. The sum of four thousand dollars (\$4,000) is hereby appropriated out of
 2 any money in the State Treasury not otherwise appropriated, for the purchase
 3 of the real estate described in this act and for no other purpose.

4 3. The commissioners of the Southern Illinois Penitentiary shall present
5 to the Governor the abstracts of title and all other papers connected with the
6 purchase of said real estate, and upon his certifying his approval of said
7 transaction, said penitentiary commissioners are authorized to make requisition
8 upon the Auditor, who shall draw his warrant upon the State Treasurer
9 for the amount necessary to pay for said real estate, not to exceed the
10 amount appropriated by this act.

1. Introduced by the Committee on Penal and Reformatory Institutions April 13, 1883 and ordered to first reading.
2. First reading April 13, 1883, and referred to Committee on Appropriations.
3. Reported back April 27, 1883, with amendments, passage recommended, and ordered to second reading.
4. Second reading May 3, 1883, amended and ordered to third reading.

A BILL

For An Act to authorize the Commissioners of the Southern Illinois Penitentiary, at Chester, to purchase land for the use of the penitentiary, and for the erection of certain buildings and improvements, and to make appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the Commissioners of the Southern Illinois Peni-
3 tentiary, at Chester, be, and are hereby authorized to purchase for the use
4 of said penitentiary, the following tracts of land, to-wit: That portion of the
5 fractional southwest quarter of section fourteen (14), township seven (7), south,
6 range seven (7), west, not contained in survey No. 540, claim No. 292, contain-
7 ing one hundred and three and seventy-two one-hundredths (108, 72-100)
8 acres, more or less. Also, that portion of the fractional southeast quarter of
9 said section lying between said survey and the ground belonging to the
10 Southern Illinois Penitentiary, containing thirty-two and two one-hundredths
11 (32, 2-100) acres, more or less. Also, that part of the northwest quarter of the
12 northeast quarter of section twenty-three (23), containing five and sixty-five
13 one-hundredths (5, 65-100) acres, more or less; and that portion of the north-
14 east quarter of the northwest quarter of said section twenty-three (23), con-
15 taining six and sixty-five one-hundredths (6, 65-100) acres, lying north of the
16 Mississippi river, and adjoining said penitentiary grounds on the west, all
17 in Randolph county, State of Illinois, for the sum of three thousand dollars

18 (\$3,000). Also the lot on which is situated the sand-stone quarry, from
 19 which the present buildings of said penitentiary are constructed, containing
 20 five (5) acres, more or less, for the sum of one thousand dollars (\$1,000);
 21 *Provided*, a good and valid title, to be approved by the Attorney-General,
 22 can be made for said tracts of land to the State by the present owners thereof.

§ 2. The sum of four thousand dollars (\$4,000), is hereby appropriated out
 2 of any money in the State Treasury not otherwise appropriated, for the pur-
 3 chase of the real estate described in this act, and for no other purpose

§ 3. The Commissioners of the Southern Illinois Penitentiary shall present
 2 to the Governor the abstracts of title and all other papers connected with the
 3 purchase of said real estate, and upon his certifying his approval of the title
 4 thereto, said penitentiary commissioners are authorized to make requisition
 5 upon the Auditor, who shall draw his warrant upon the State Treasurer for
 6 the amount necessary to pay for said real estate, not to exceed the amount
 7 appropriated by this act.

§ 4. For the erection of that portion of the wall of said prison extending
 2 north from the north end of the present cell house, fifteen hundred dollars
 3 (\$1,500).

4 For the erection of a shop for stone cutters, one thousand dollars (\$1,000).

5 For building a sewer on the north side of the prison yard, four thousand five
 6 hundred dollars (\$4,500).

7 For the erection of an ice house 80x40x20, having a capacity to store 1,850
 8 tons; building to be of stone and brick and truss roof covered with shingles,
 9 three thousand dollars (\$3,000).

§ 5. The Auditor of Public Accounts is hereby authorized and instructed
 2 to draw his warrant on the Treasurer for said sums, only on the filing of
 3 vouchers therefor, payable to the order of the commissioners, upon receiving
 4 the certificate of the commissioners of said penitentiary, approved by the Gov-
 5 ernor, that said money is necessary for the purposes contemplated by this act.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act to authorize the Commissioners of the Southern Illinois Penitentiary, at Chester, to purchase land for the use of the penitentiary, and for the erection of certain buildings and improvements, and to make appropriation therefor.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the

2 General Assembly: That the Commissioners of the Southern Illinois Peni-
3 tentiary, at Chester, be, and are hereby authorized to purchase for the use
4 of said penitentiary, the following tracts of land, to-wit: That portion of the
5 fractional southwest quarter of section fourteen (14), township seven (7),
6 south, range seven (7), west, not contained in survey No. 540, claim No. 292,
7 containing one hundred and three and seventy-two one-hundreths (103, 72-100)
8 acres, more or less. Also that portion of the fractional southeast quarter of
9 said section lying between said survey and the ground belonging to the
10 Southern Illinois Penitentiary, containing thirty-two and two one-hundreths
11 (32, 2-100) acres, more or less. Also that part of the northwest quarter of the
12 northeast quarter of section twenty-three [(23), containing five and sixty-five
13 one-hundreths (5, 65-100) acres, more or less; and that portion of the north-
14 east quarter of the northwest quarter of said section twenty-three (23), con-
15 taining six and sixty-five one-hundreths (6, 65-100) acres, lying north of the Mis-
16 sissippi river, and adjoining said penitentiary grounds on the west, all in Ran-
17 dolph county, State of Illinois, for the sum of three thousand dollars (\$3,000).

16 Also the lot on which is situated the sandstone quarry, from which the pres-
 19 ent buildings of said penitentiary are constructed, containing five (5) acres,
 20 more or less, for the sum of one thousand dollars (\$1,000). *Provided*, a good
 21 and valid title, to be approved by the Attorney General, can be made for said
 22 tracts of land to the State by the present owners thereof.

§ 2. The sum of four thousand dollars (\$4,000) is hereby appropriated out
 2 of any money in the State treasury, not otherwise appropriated, for the pur-
 3 chase of the real estate described in this act, and for no other purpose.

§ 3. The commissioners of the Southern Illinois Penitentiary shall present
 2 to the Governor the abstracts of title and all other papers connected with
 3 the purchase of said real estate, and upon his certifying his approval of the
 4 title thereto, said penitentiary commissioners are authorized to make requisi-
 5 tion upon the Auditor, who shall draw his warrant upon the State Treas-
 6 urer for the amount necessary to pay for said real estate, not to exceed the
 7 amount appropriated by this act.

§ 4. For the erection of that portion of the wall of said prison, extending
 2 north from the north end of the present cell house, fifteen hundred dollars
 3 (\$1,500).

4 For the erection of a shop for stone-cutters, one thousand dollars (\$1,000).

5 For building a sewer on the north side of the prison yards, four thousand
 6 five hundred dollars (\$4,500).

7 For the erection of an ice house 80x40x20, having a capacity to store 1,650
 8 tons; building to be of stone and brick and truss roof covered with shingles,
 9 three thousand dollars (\$3,000).

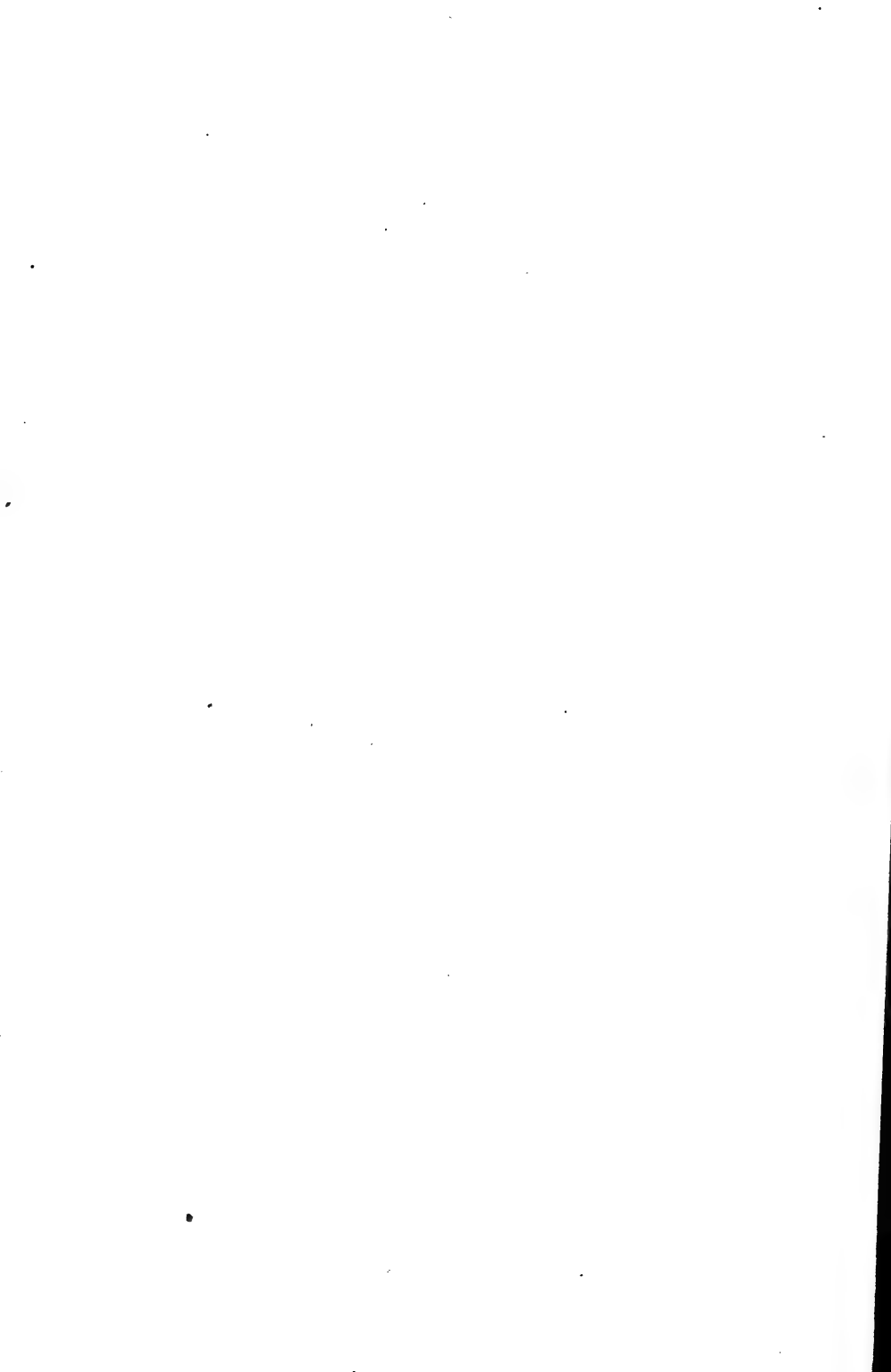
§ 5. The Auditor of Public Accounts is hereby authorized and instructed
 2 to draw his warrant on the Treasurer for said sums, only on the filing of
 3 vouchers therefor, payable to the order of the commissioners, upon receiving
 4 the certificate of the commissioners of said penitentiary, approved by the
 5 Governor, that said money is necessary for the purposes contemplated by
 6 this act.

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1. Introduced by Mr. Condée, April 13, 1883, and ordered to first reading.
 2. First reading April 13, 1883.

A BILL

For An Act to provide for renting rooms for the Appellate Court for the First District.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
2 *Assembly:* That until otherwise provided by law, the judges assigned to hold the Appellate
3 Court in and for the First District, be and they are hereby authorized, at the expiration of the
4 lease of the rooms now occupied by said court, and whenever from any cause said court is desti-
5 tute of suitable rooms for holding its sessions and for the use of the officers of said court, to rent
6 suitable rooms in the city of Chicago in which to hold the sessions of said court and for the use
7 of the officers thereof, and for the safe keeping of its records, at a rental not exceeding five
8 thousand dollars per annum.



1. Reported to House April 26, 1883.
2. First reading April 26 1883, and referred to Committee on Judicial Department.
3. Reported back passage recommended, report concurred in, and ordered to second reading April 27, 1883.

A BILL

For An Act to provide for renting rooms for the Appellate Court for the First District.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That until otherwise provided by law, the judges assigned to hold the Appellate Court in and for the First District, be, and they are hereby authorized, at the expiration of the lease of the rooms now occupied by said court, and whenever from any cause said court is destitute of suitable rooms for holding its sessions, and for the use of the officers of said court, to rent suitable rooms in the city of Chicago in which to hold the sessions of said court, and for the use of the officers thereof, and for the safe keeping of its records, at a rental not exceeding five thousand dollars per annum.

-
1. Introduced by Committee on Military Affairs, April 17, 1883, and ordered to first reading.
 2. First reading April 17, and ordered to second reading.
-

A BILL

For An Act to provide for payment of the Illinois National Guard, for the year ending July 1, 1884,
and for the year ending July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
2 *Assembly:* That there be, and is hereby appropriated, to pay the expenses of the Illinois Na-
3 tional Guard, for the years ending July 1, 1884, and July 1, 1885, the proceeds of the levies now
4 authorized by the "Military Code" to be made annually for State military purposes.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant
2 on the State Treasurer for the amount above set forth, upon presentation of the proper vouchers,
3 and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise
4 appropriated, to the order of the persons entitled thereto.



1. Introduced by Committee on Military Affairs, April 17, 1883, and ordered to first reading.
2. First reading April 17, 1883, and ordered to second reading.
3. Second reading April 25, 1883, and passed temporarily.
4. Amended May 3, 1883, and ordered to third reading.

A BILL

For An Act to provide for payment of the Illinois National Guard, for the year ending July 1, 1884,
and for the year ending July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That there be, and is hereby appropriated, to pay the expenses of the Illinois Na-
3 tional Guard, for the years ending July 1, 1884, and July 1, 1885, the sum of \$75,000 per annum.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant
3 on the State Treasurer for the amount above set forth, upon presentation of the proper vouchers,
3 and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise
4 appropriated, to the order of the persons entitled thereto.

§ 3. That all that part of section 1, article 10, of an act to provide for the organization of the
2 State Militia, and entitled "The Military Code of Illinois," now in force, providing for the levy
3 and collection of one-tenth of a mil for military purposes, is hereby repealed.



1. Reported to House May 10, 1883.
2. First reading May 16, 1883, and referred to Committee on Appropriations.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 18, 1883.

A BILL

For An Act to provide for payment of the Illinois National Guard, for the year ending July 1, 1884,
and for the year ending July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That there be, and is hereby appropriated, to pay the expenses of the Illinois Na-
3 tional Guard, for the years ending July 1, 1884, and July 1, 1885, the sum of \$75,000 per annum.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant
2 on the State Treasurer for the amount above set forth, upon presentation of the proper vouchers
3 and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise
4 appropriated, to the order of the persons entitled thereto.

§ 3. That all that part of section 1, article 10, of an act to provide for the organization of the
2 State Militia, and entitled "The Military Code of Illinois," now in force, providing for the levy
3 and collection of one-tenth of a mill for military purposes, is hereby repealed.

HOUSE AMENDMENTS TO SENATE BILL NO. 411.

Amend, by adding after section three, the following: "Section 4. That any
2 un expended balance that may be in State treasury to the credit of the
3 military fund on the first day of July, 1883, shall be transferred, on the
4 warrant of the Auditor of Public Accounts, to the general revenue fund, and
5 that any military tax collected from the levy of 1883, and paid into State
6 treasury a'ter July 1, 1883, shall also be placed to the credit of general revenue
7 fund.

8 Amend title by adding thereto the following: "to transfer balance of
9 military fund to the general revenue fund."

1. Introduced by Mr. Berggren, March 17, 1883, and ordered to first reading.
2. First reading March 17, 1883, and referred to Committee on Fees and Salaries.
3. Reported back April 18, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1) of an act entitled "An act to fix the pay of members of the General Assembly after its first session under the present constitution," approved March 29, 1872, in force July 1, 1872.

Be it enacted by the People of the State of Illinois, represented in the General

2 *Assembly:* That section one (1) of an act entitled "An act to fix the pay of members of the

3 General Assembly after its first session under the present constitution," approved March 29, 1872,

4 in force July 1, 1872, be and the same is hereby amended, so as to read as follows:

5 "Section 1. That, until otherwise provided by law, members of the General Assembly shall

6 receive for their services, during each regular session, the sum of eight dollars per day for the

7 first ninety legislative days and two dollars per day for each legislative day thereafter; during

8 each extra session, the sum of eight dollars per day for the first thirty legislative days and two

9 dollars per day for each legislative day thereafter; and for each session ten cents for each mile

10 necessarily traveled in going to and returning from the seat of government, to be computed by

11 the Auditor of Public Accounts; and also the sum of fifty dollars per session to each member,

12 which shall be in full for postage, stationery, newspapers, and all other incidental expenses and

13 perquisites and no more: *Provided*, that no *per diem* shall be allowed members except for actual

14 attendance (to be ascertained by a call of the Senate and House respectively, on each legislative

15 day, immediately after the reading and disposing of the journal), unless absent by leave of the

16 Senate, if a senator, or of the House, if a representative, and then only when attending to duties

17 imposed by the action of the branch of the General Assembly of which he is a member."

1. Introduced by the Committee on Appropriations as a substitute for S. B.'s Nos. 133 and 134, April 18, 1883, and ordered to first reading.
2. First reading April 19, 1883, and ordered to second reading.

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That for the ordinary expenses of the Illinois Institution for the Education of the Blind, the sum of thirty-two thousand dollars (\$32,000) per annum is hereby appropriated, to be paid quarterly in advance from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly; and for repairs and improvements, the sum of fifteen hundred dollars (\$1,500) per annum, payable to the trustees or their order in the manner now provided by law.

§ 2. For the construction of a fence on the east, north and west sides of the grounds thereof, the sum of twelve hundred dollars (\$1,200).

For a steam or gas heated mangle, the sum of five hundred and fifty dollars (\$550).

For the purchase of land for pasturage, the sum of twenty-five hundred dollars (\$2,500); said sum to be payable from the first day of July, 1883, upon the order of the trustees as now provided by law; but no purchase money shall be paid or warrant drawn therefor until the title shall be examined and approved, and certified to in writing by the Attorney General.

1. Introduced by the Committee on Appropriations April 18, 1883, and ordered to first reading.
2. First reading April 18, 1883, and ordered to second reading.
3. Second reading May 1, 1883, amended, and ordered to third reading.

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

Assembly: That for the ordinary expenses of the Illinois Institution for the Education of the Blind, the sum of thirty-two thousand dollars (\$32,000) per annum is hereby appropriated, to be paid quarterly in advance from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly; and for repairs and improvements, the sum of fifteen hundred dollars (\$1,500) per annum, payable to the trustees or their order in the manner now provided by law.

§ 2. For the construction of a fence on the east, north and west sides of the grounds thereof, the sum of twelve hundred dollars (\$1,200).

For a steam or gas heated mangle, the sum of five hundred and fifty dollars (\$550).

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the amount above set forth, upon presentation of the proper vouchers, and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated, to the order of the persons entitled thereto.

1. Reported to House May 10, 1883.
2. First reading May 16, 1883, referred to Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

COMMITTEE AMENDMENT TO SENATE BILL NO. 413.

Insert after item one of section two as item two, the following: "For the purchase of twenty-two acres of land for pasturage the sum of twenty-five hundred (\$2500)."

Amend by striking out item two of section two of written bill.

A BILL

For An Act making appropriations for the Illinois Institution for the Education of the Blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the ordinary expenses of the Illinois Institution for the Education of the Blind, the sum of thirty-two thousand dollars (\$32,000) per annum is hereby appropriated, to be paid quarterly in advance from the first day of July, 1883, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly; and for repairs and improvements, the sum of fifteen hundred dollars (\$1,500) per annum, payable to the trustees or their order in, the manner now provided by law.

§ 2. For the construction of a fence on the east, north and west sides of the grounds thereof, the sum of twelve hundred dollars (\$1,200).

§ 3. For a steam or gas heated mangle, the sum of five hundred and fifty dollars (\$550).

§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the amount above set forth, upon presentation of the proper vouchers, and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated, to the order of the persons entitled thereto.



Amend by inserting after item one of section two, as item two, the following: "For the purchase of twenty-two acres of land for pasturage, the sum of twenty-five hundred (\$2,500)."



-
1. Introduced by Mr. Duncan, April 18, 1883, and ordered to first reading.
 2. First reading April 18, 1883, and referred to Committee on Corporations.
 3. Reported back April 25, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to amend an act entitled "An act to enable cities and villages to establish and regulate cemeteries," approved March 24, 1874, amended by an act approved May 25, 1877 in force July 1, 1877.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the*

2 *General Assembly:* That an act entitled "An act to enable cities and villages to establish
3 and regulate cemeteries," approved March 24, 1874, amended by an act approved May 25,
4 1877, be, and the same is hereby amended, by adding thereto the following sections;

5 "§ 2. (Power of two or more cities or villages to establish jointly.) That any two or
6 more cities, villages or townships in this State may jointly unite in establishing and
7 maintaining cemeteries, within and without the corporate limits of either, and acquire lands
8 therefor in common, by purchase, condemnation or otherwise, and may lay out lots of
9 convenient size for families, and may sell lots for family burying ground or to individuals
10 for burial purposes.

§ 3. (Emergency.) Whereas certain cities in this State are desirous of uniting together
2 immediately in establishing burial grounds or cemeteries under the provisions of this act
3 whereby an emergency exists, that this act should take effect without delay, therefore this
4 act shall take effect and be in force from and after its passage."



(Substitute for Senate Bill No. 132.)

1. Introduced by Committee on Appropriations, April 30, 1883, read a first time and ordered to a second reading.
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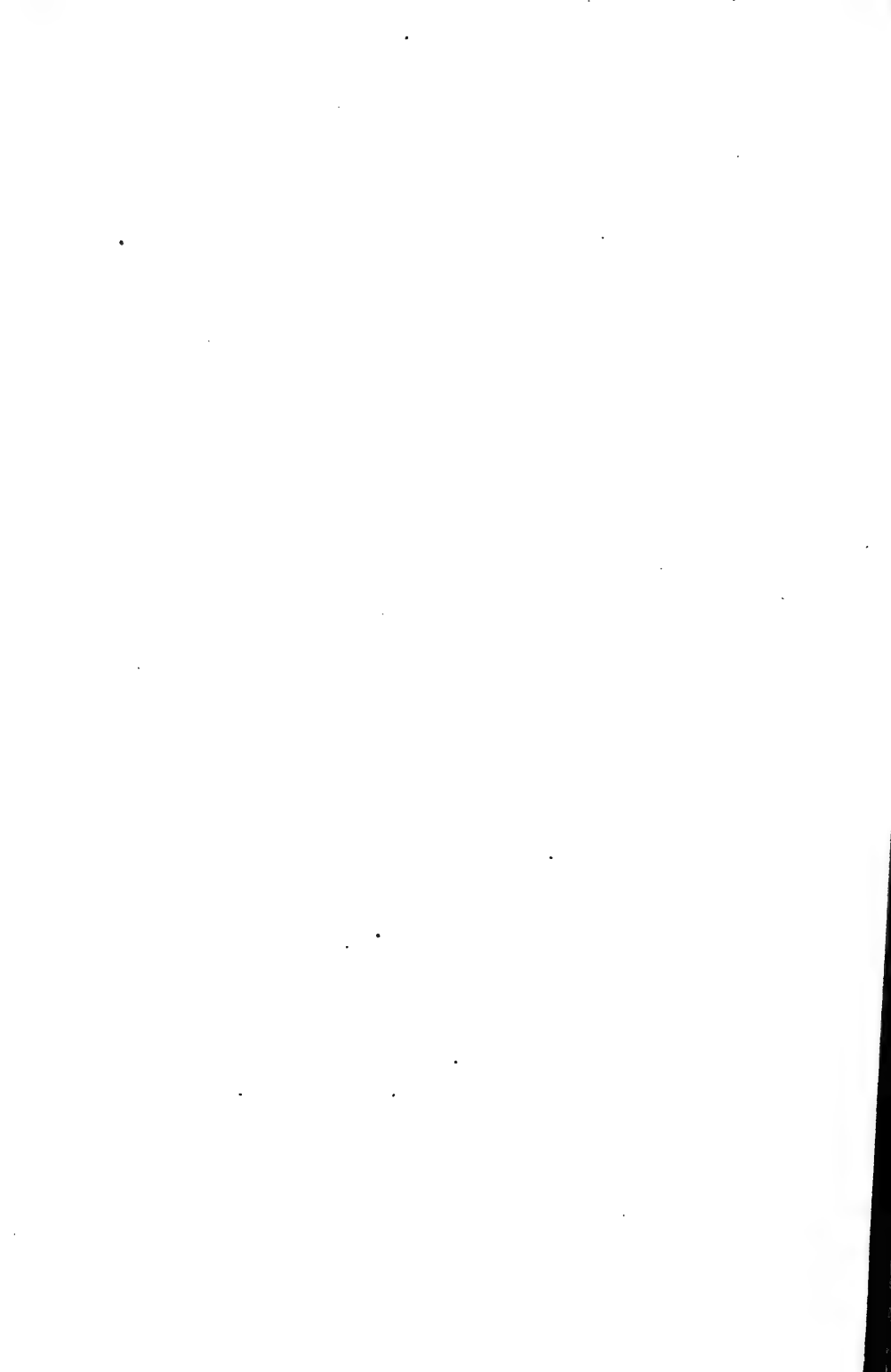
A BILL

For An Act making an appropriation for the ordinary expenses of the State Normal University, at Normal, and for additions to the library.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That there be and hereby is appropriated to the State Normal University, in addition
3 to one-half of the interest of the college and seminary fund, which is hereby appropriated, the
4 further sum of seventeen thousand five hundred dollars per annum, payable quarterly in ad-
5 vance, for the payment of salaries, for the purchase of fuel, for additions to the library, for
6 school apparatus, and for incidental expenses: *Provided,* that the expenses of the model school,
7 connected with and forming a part of the said State Normal University, shall be paid out of
8 the receipts for tuition of pupils in said school, and not from the above appropriation or any
9 part thereof.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant
2 upon the Treasurer for the aforesaid sums of money upon the order of the Board of Education
3 of the State of Illinois, signed by the president, and attested by the secretary of said board with
4 the corporate seal of said institution: *Provided,* that satisfactory vouchers in detail, approved by
5 the Governor, shall be filed quarterly with the Auditor of Public Accounts for the expenditures,
6 ordinary and extraordinary, of the preceding quarter, and that no part of the money herein
7 appropriated shall be due and payable until such vouchers shall have been filed.



-
1. Reported to House May 10, 1883.
 2. First reading May 10, 1883, referred to Committee on Appropriations May 11, 1883.
 3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.
-

COMMITTEE AMENDMENT TO SENATE BILL NO. 418

- A so the further sum of eight-en thousand dollars (\$18 000), "for the erection and equipment
- 2 with the necessary furniture and apparatus of an auxilliary school building, to be erected upon
 - 3 the grounds of said University, and used in connection with, and to form a part of said State
 - 4 Normal University."

A BILL

For An Act making an appropriation for the ordinary expenses of the State Normal University, at Normal, and for additions to the library.

- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*
- 2 *Assembly:* That there be and hereby is appropriated to the State Normal University, in addition
 - 3 to one-half of the interest of the college and seminary fund, which is hereby appropriated, the
 - 4 further sum of seventeen thousand five hundred dollars per annum, payable quarterly in ad-
 - 5 vance, for the payment of salaries, for the purchase of fuel, for additions to the library, for
 - 6 school apparatus, and for incidental expenses: *Provided*, that the expenses of the model school,
 - 7 connected with and forming a part of the said State Normal University, shall be paid out of
 - 8 the receipts for tuition of pupils in said school, and not from the above appropriation or any
 - 9 part thereof.

- § 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant
- 2 upon the Treasurer for the aforesaid sums of money upon the order of the Board of Education

3 of the State of Illinois, signed by the president, and attested by the secretary of said board with
4 the corporate seal of said institution: *Provided*, that satisfactory vouchers in detail, approved by
5 the Governor, shall be filed quarterly with the Auditor of Public Accounts for the expenditures,
6 ordinary and extraordinary, of the preceding quarter, and that no part of the money herein
7 appropriated shall be due and payable until such vouchers shall have been filed.

1. Introduced by Mr. Hereley, April 24, 1883, and ordered to first reading.
2. First reading April 27, 1883, and referred to Committee on Judicial Department.
3. Reported back with amendment, May 1, 1883, passage recommended, and ordered to second reading.

**AMENDMENT ADOPTED BY COMMITTEE ON JUDICIAL DEPARTMENT
TO SENATE BILL NO. 420.**

Amend by prefixing to the bill the words "A Bill for."

An Act to amend section two (2) of an act entitled, "An Act in regard to forcible entry and detainer," approved and in force February 16, 1874

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section two (2) of an act entitled "An Act in regard
3 to forcible entry and detainer, approved and in force February 16, 1874, be
4 amended, so as to read as follows:

5 "Section 2. The person entitled to the possession of lands or tenements, or
6 to the possession of any undivided interest therein, may be restored thereto in
7 the manner hereinafter provided:

8 *First*—When a forcible entry is made thereon.

9 *Second*—When a peaceable entry is made and the possession unlawfully
10 withheld.

11 *Third*—When entry is made into vacant or unoccupied lands or tenements
12 without right or title.

13 *Fourth*—When any lessee of the lands or tenements, or any person holding
14 under him, holds possession without right after the determination of the

15 lease or tenancy by its own limitation, condition or terms, or by notice to
 16 quit or otherwise.

17 *Fifth*—When a vendee having obtained possession under a written or
 18 verbal agreement to purchase lands or tenements, and having failed to com-
 19 ply with his agreement, withholds possession thereof after demand in writing
 20 by the person entitled to such possession.

21 *Sixth*.—When land has been sold under the judgment or decree of any
 22 court in this State, or by virtue of any sale made under any power of sale
 23 in any mortgage or deed of trust contained, and the party to such judgment
 24 or decree or to such mortgage or deed of trust, after the expiration of the
 25 time of redemption, when redemption is allowed by law, refuses or neglects
 26 to surrender possession thereof after demand in writing by the person en-
 27 titled thereto or his agent.

28 *Seventh*.—When any tenant in common of any land tenements or heredita-
 29 ments is, or hereafter shall be excluded from the premises held in common,
 30 by any co-tenants of such lands, tenements or hereditaments, (whether such
 31 exclusion is by such co-tenant alone or jointly with another person or per-
 32 sons) after demand in writing for possession of his interest by the co-tenant
 33 so excluded, or by his agent.

34 This section shall apply to cases where the party excluding his co-tenant,
 35 or any person claiming under such co-tenant, shall remain in possession of
 36 the premises after the expiration of any lease in which the co-tenant ex-
 37 cluded, is or shall be the lessor or one of the lessors."

1. Introduced by Mr. Hervey April 24, 1883, and ordered to first reading.
2. First reading April 27, 1883, and referred to Committee on Judicial Department.
3. Reported back May 1, 1883 with amendment, passage recommended, and ordered to a second reading.
4. Second reading May 14, 1883, and ordered to third reading.

A BILL.

For An Act to amend section two (2) of an act entitled, "An act in regard to forcible entry and detainer," approved and in force February 16, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section two (2) of an act entitled, "An act in regard
3 to forcible entry and detainer, approved and in force February 16, 1874, be
4 amended, so as to read as follows:

5 "Section 2. The person entitled to the possession of lands or tenements, or
6 to the possession of any undivided interest therein, may be restored thereto in
7 the manner hereinafter provided:

8 *First*—When a forcible entry is made thereon.

9 *Second*—When a peaceable entry is made and the possession unlawfully
10 withheld.

11 *Third*—When entry is made into vacant or unoccupied lands or tenements
12 without right or title.

13 *Fourth*—When any lessee of the lands or tenements, or any person holding
14 under him, holds possession without right after the determination of the
15 lease or tenancy by its own limitation, condition or terms, or by notice to
16 quit or otherwise.

18 verbal agreement to purchase lands or tenements, and having failed to com-
19 ply with his agreement, withholds possession thereof after demand in writing
20 by the person entitled to such possession.

21 *Sixth*—When land has been sold under the judgment or decree of any
22 court in this State, or by virtue of any sale made under any power of sale
23 in any mortgage or deed of trust contained, and the party to such judgment
24 or decree or to such mortgage or deed of trust, after the expiration of the
25 time of redemption, when redemption is allowed by law, refuses or neglects
26 to surrender possession thereof, after demand in writing by the person en-
27 titled thereto or his agent.

28 *Seventh*—When any tenant in common of any land tenements or heredita-
29 ments is, or hereafter shall be excluded from the premises held in common,
30 by any co-tenants of such lands, tenements or hereditaments, (whether such
31 exclusion is by such co-tenant alone or jointly with another person or persons)
32 after demand in writing for possession of his interest by the co-tenant so ex-
33 cluded, or by his agent.

34 This section shall apply to cases where the party excluding his co-tenant, or
35 any person claiming under such co-tenant, shall remain in possession of the
36 premises after the expiration of any lease in which the co-tenant excluded, is or
37 shall be the lessor or one of the lessors."

1. Introduced by Mr. Hereley, April 24, 1883, and ordered to first reading.
2. First reading April 27, 1883, and referred to Committee on Judicial Department.
3. Reported back with amendment May 1, 1883, passage recommended, and ordered to second reading.

AMENDMENT ADOPTED BY THE COMMITTEE ON JUDICIAL DEPARTMENT TO SENATE BILL 421.

Amend by prefixing to the bill the words, "A bill for."

An Act to amend section two (2) of an act entitled "An act to revise the law in relation to landlord and tenant," approved May 1, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section two (2) of an act entitled "An Act to revise
3 the law in relation to landlord and tenant," approved May 1, 1873, in force
4 July 1, 1873, be amended, so as to read as follows:
5 "Section 2. If any tenant or tenants for life or lives, or for a year, or any
6 longer or shorter time, or any person or persons who are or shall come into
7 possession of any lands, tenements or hereditaments, by, from or under, or by
8 collusion with such tenant or tenants, shall willfully hold over any lands tene-
9 ments or hereditaments, after the expiration of such term or terms, and after
10 demand made, in writing, for the possession thereof, by his or their landlord
11 or lessor, or the person to whom the remainder or reversion of such lands, ten-
12 ements or hereditaments shall belong; or if any lessee or lessees of any tenants
13 in common of any lands, tenements or hereditaments shall willfully hold over

14 as aforesaid, and after demand in writing by any tenant in common, who is or
15 may be one of the lessors, or by any person or persons owning the interest of
16 such tenant in common for possession of the interest of such tenant in common;
17 in any and every such case, the person or persons so holding over, shall for
18 the time such landlord or tenant in common, or rightful owner, may be so
19 kept out of possession pay to the person so kept out of possession or his legal
20 representatives, at the rate of double the yearly value of the lands, tene-
21 ments or hereditaments, or of such interest therein, so detained, to be re-
22 covered by action of debt or otherwise in any court having cognizance of the
23 same."

1. Introduced by Mr. Herely, April 24, 1883, and ordered to first reading.
2. First reading April 27, 1883, and referred to committee on Judicial Department.
3. Reported back with amendments, passage recommended, and ordered to second reading.
4. Second reading May 14, 1883, and ordered to third reading.

A BILL

For An Act to amend section two (2) of an act entitled "An act to revise the law in relation to landlord and tenant" approved May 1, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section two (2) of an act entitled "An Act to revise
3 the law in relation to landlord and tenant," approved May 1, 1873, in force
4 July 1, 1873, be amended, so as to read as follows:

5 "Section 2. If any tenant or tenants for life or lives, or for a year, or any
6 longer or shorter time, or any person or persons who are or shall come into
7 possession of any lands, tenements or hereditaments, by, from or under, or by
8 collusion with such tenant or tenants, shall willfully hold over any lands ten-
9 ements or hereditaments, after the expiration of such term or terms, and after
10 demand made, in writing, for the possession thereof, by his or their landlord
11 or lessor, or the person to whom the remainder or reversion of such lands, ten-
12 ements or hereditaments shall belong; or if any lessee or lessees of any tenants
13 in common of any lands, tenements or hereditaments shall willfully hold over
14 as aforesaid, and after demand in writing by any tenant in common, who is
15 or may be one of the lessors, or by any person or persons owning the interest
16 of such tenant in common for possession of the interest of such tenant in
17 common; in any and every such case, the person or persons so holding over,

18 shall for the time such landlord or tenant in common, or rightful owner, may
19 be so kept out of possession pay to the person so kept out of possession or his
20 legal representatives, at the rate of double the yearly value of the lands,
21 tenements or hereditaments, or of such interest therein, so detained, to be re-
22 covered by action of debt or otherwise in any court having cognizance of
23 the same.

-
1. Introduced by Mr. White, April 24, 1883, and ordered to first reading.
 2. First reading April 24, 1883, and referred to Committee on Municipalities.
 3. Reported back April 25, 1883, passage recommended, and ordered to second reading.
-

A BILL

For An Act to regulate the leasing of school property in cities having a population exceeding one hundred thousand (100,000) inhabitants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That all real estate now held by any city, in trust for the
3 use of schools, or that shall hereafter be conveyed to any city in trust for the
4 use of schools or for school purposes, shall not be leased by the board of education
5 of such city to any body corporate or person, or persons whatsoever, without
6 first obtaining the consent in writing of the city council of such city, such con-
7 sent to be entered upon the record of the proceedings of the city council of such
8 city, and concurred in at a regular meeting by the same majority vote of the
9 member thereof that is now required to sell city or school property.

§ 2. This act shall only apply to cities having a population exceeding one
2 hundred thousand (100,000) inhabitants.



(Substitute for Senate Bill No. 341).

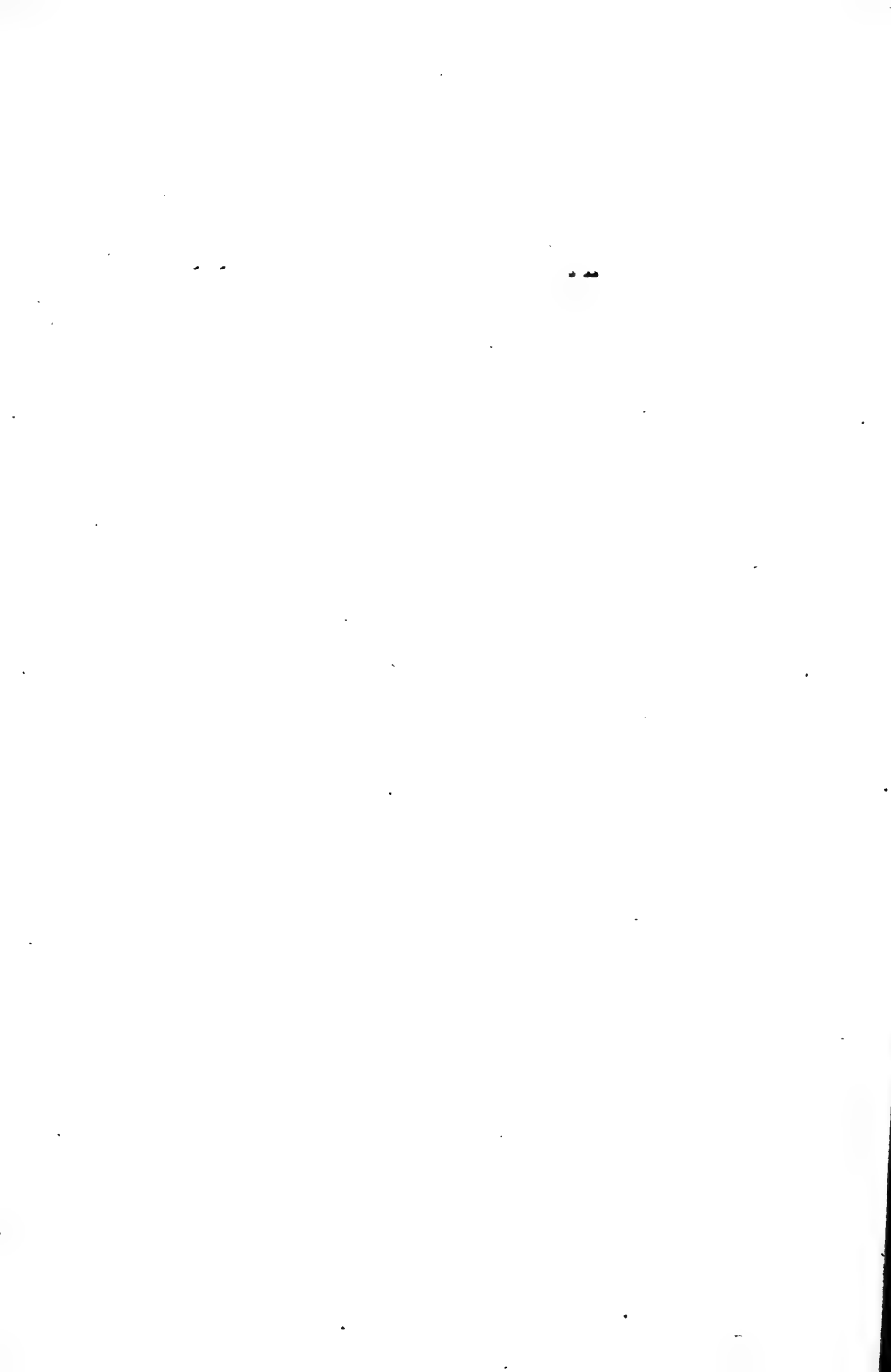
1. Introduced by Committee on Appropriations, April 24, 1883.
2. Read a first time and ordered to a second reading.

A BILL

For An Act making special appropriations for an addition to the north wing of the Hospital for the Insane, at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amount be, and the same is hereby appropriated to the Illinois Southern Hospital for the Insane, at Anna: For building an addition to the north wing for the accommodation of thirty-two patients of the more excited and dangerous class, twenty-two thousand (\$22,000) dollars, together with the unexpended balance of the appropriation made for the rebuilding of the north wing after the fire of April 19, 1881, which is hereby re-appropriated.

§ 2. The money hereby appropriated shall be due and payable to the trustees or their order only on the terms and in the manner now provided by law.



1. Reported to House May 10, 1883.
2. First reading May 16, 1883, Committee on Appropriations May 11, 1883.
3. Reported back with amendments, passage recommended, report concurred in, and ordered to second reading May 16, 1883.

A BILL

For An Act making special appropriations for an addition to the north wing of the Hospital for the Insane, at Anna.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amount be, and the same is hereby appropriated to the Illinois Southern Hospital for the Insane, at Anna: For building an addition to the north wing for the accommodation of thirty-two patients of the more excited and dangerous class, twenty-two thousand dollars (\$22,000), together with the unexpended balance of the appropriation made for the rebuilding of the north wing after the fire of April 19, 1881, which is hereby re-appropriated.

§ 2. The money hereby appropriated shall be due and payable to the trustees or their order only on the terms and in the manner now provided by law.



1. Introduced by Mr. Seiter, April 25, 1883, and ordered to first reading.
2. First reading April 25, 1883, and referred to Committee on Insurance.
3. Reported back April 27, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend an act entitled "An act to organize and regulate county fire insurance companies," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section three (3) of an act entitled "An act to
3 organize and regulate county fire insurance companies," approved June 2,
4 1877, in force July 1, 1877, be, and the same is hereby amended, so as to
5 read as follows:

6 "Section 3. The number of directors shall not be less than nine (9) nor
7 more than fifteen (15), a majority of whom shall constitute a quorum to do
8 business, the number of directors to be determined upon by the corporators
9 at their first meeting, or from time to time at any regular or special meeting
10 of the members of such company. The directors shall be elected by ballot
11 from the corporators, and shall hold their offices until their successors are
12 elected and qualified. In the election of the first board of directors each
13 corporator shall be entitled to one vote. All subsequent elections, except to
14 fill vacancies, shall be held at the annual meeting of the company, which
15 shall be held on the first Tuesday after the first Monday of January, in
16 each year, and every person insured shall be entitled to as many votes as
17 he or she may hold risks in the company, for each director, and may cast
18 the same by person, or in case of sickness or unavoidable absence, by proxy."



-
1. Introduced by Mr. Needles, April 25, 1883, and ordered to first reading.
 2. First reading April 25, 1883, and referred to Committee on Municipalities.
 3. Reported back April 25, 1883, passage recommended, and ordered to second reading.
-

A BILL

For An Act to amend section one hundred and eighty-two (182) of an act to provide for the incorporation of cities and villages, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in t*

2 *General Assembly:* That whenever any area of contiguous territory, not exceeding
3 two square miles, shall have resident therein a population of at least two hun-
4 dred inhabitants, and which territory is not included within the limits of any
5 incorporated town, village or city, the same may become incorporated as a
6 village, under this act, in the manner following: Any thirty legal voters
7 resident within the limits of such proposed village may petition the county
8 judge of the county in which they reside to cause the question to be
9 submitted to the legal voters of such proposed village whether they will
10 organize as a village, under this act; and if the territory described in said
11 petition shall be situated in more than one county, then the petition shall
12 be addressed to the judge of the county court of the county where a greater
13 part of such territory is situated; such petition shall be addressed to the
14 county judge, contain a definite description of the lands intended to be
15 embraced in such village, the number of inhabitants resident therein, and
16 the name of such proposed village.

To Hon. George E. White, Chairman Committee on Municipalities.

We, the undersigned members of said Committee, would respectfully request you to report back Senate Bill No. 425, with a recommendation that it do pass.

Yours, &c.

EDWARD LANING,

M. B. HERLEY,

C. A. WALKER,

J. W. FIFER,

C. SECREST,

JOHN R. TANNER,

L. D. CONDER,

C. MAMER,

Committee on Municipalities.

1. Introduced by Mr. Needles, April 25, 1883, and ordered to first reading.
2. First reading April 25, 1883, and referred to Committee on Municipalities.
3. Reported back April 25, 1883, passage recommended, and ordered to second reading.
4. Second reading May 4, 1883, amended and ordered to third reading.

A BILL

For An Act to amend section five (5), of article XI of an act entitled an act to provide for the incorporation of cities and villages, approved April 10, 1872, in force July 1, 1872,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section five (5), of article XI of an act entitled an
3 act to provide for the incorporation of cities and villages, approved April 10,
4 1872, in force July 1, 1872, be, and it is hereby amended, so as read as follows:
5 "Section 5. That whenever any area of contiguous territory, not exceeding
6 two square miles, shall have resident therein a population of at least two
7 hundred inhabitants, and which territory is not included within the limits
8 of any incorporated town, village or city, the same may become incorporated
9 as a village, under this act, in the manner following: Any thirty legal voters
0 resident within the limits of such proposed village may petition the county
1 judge of the county in which they reside to cause the question to be sub-
2 mitted to the legal voters of such proposed village whether they will organ-
3 ize as a village under this act; and if the territory described in said petition
4 shall be situated in more than one county, then the petition shall be addressed
5 to the judge of the county court of the county where a greater part of such
6 territory is situated; such petition shall be addressed to the county judge,
7 contain a definite description of the lands intended to be embraced in such
8 village, the number of inhabitants resident therein, and the name of such
9 proposed village."

To Hon. George E. White, Chairman Committee on Municipalities:

We, the undersigned members of said Committee, would respectfully request you to report back Senate Bill No. 425, with a recommendation that it do pass.

Yours, &c.

EDWARD LANING,

M. B. HERRELEY,

C. A. WALKER,

J. W. FIFER,

C. SECREST,

JOHN R. TANNER,

L. D. CONDEE,

C. MAMER.

Committee on Municipalities.

-
1. Reported to House May 18, 1883.
 2. First reading June, 1883, and ordered to second reading.
-

A BILL

For An Act to amend section five (5), of article XI of an act entitled an act to provide for the incorporation of cities and villages, approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section five (5), of article XI of an act entitled an
3 act to provide for the incorporation of cities and villages, approved April 10,
4 1872, in force July 1, 1872, be, and it is hereby amended, so as to read as follows:
5 "Section 5. That whenever any area of contiguous territory, not exceeding
6 two square miles, shall have resident therein a population of at least two
7 hundred inhabitants, and which territory is not included within the limits
8 of any incorporated town, village or city, the same may become incorporated
9 as a village, under this act, in the manner following: Any thirty legal voters
10 resident within the limits of such proposed village may petition the county
11 judge of the county in which they reside to cause the question to be sub-
12 mitted to the legal voters of such proposed village whether they will organ-
13 ize as a village under this act; and if the territory described in said petition
14 shall be situated in more than one county, then the petition shall be addressed
15 to the judge of the county court of the county where a greater part of such
16 territory is situated; such petition shall be addressed to the county judge,
17 contain a definite description of the lands intended to be embraced in such
18 village, the number of inhabitants resident therein, and the name of such
19 proposed village."

-
1. Introduced by Mr. Kelly, April 26, 1883, and ordered to first reading.
 2. First reading April 26, 1883, and referred to Committee on Municipalities.
 3. Reported back April 27, 1883, passage recommended, and ordered to second reading.
-

A BILL

For An Act to authorize and empower cities, villages and incorporated towns in this State, whether organized under the general law or special charters, to levy, assess and collect taxes for light and water.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General*

2 *Assembly:* That all cities, villages and incorporated towns in this State, whether organized
3 under the general law or special charters, shall levy, assess and collect their taxes
4 and shall be limited in the rate per centum to be levied to the same extent and in the same man-
5 ner provided for in article eight (8) of the act entitled "An act to provide for the incorporation
6 of cities and villages," approved April 10, 1873, and in the manner provided for in the general
7 revenue laws of this State: *Provided*, that three-fourths of all the members elect of the legis-
8 lative authority of such cities, villages and incorporated towns, may levy, exclusive of the
9 amount levied for general or other purposes, as provided for by law, not to exceed two (2) mills
10 on each dollar's worth of property, both real and personal, within the corporate limits of any
11 such city, village or incorporated town *for water*, and the further sum of three (3) mills on
12 each dollar's worth of property, both real and personal, within the corporate limits of such
13 city, village or incorporated town, *for light*, subject to the taxation therein, as the same was equalized
14 for the State and county taxes of the next preceding year: *Provided*, that nothing herein shall
15 apply to any city having a population of three hundred thousand or upwards.



1. Introduced by Mr. Gillham, April 27, 1883, and ordered to first reading.
2. First reading April 27, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back May 4, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend the title of an act entitled "An act to suppress and prevent the spread of pleuro-pneumonia among cattle," approved May 31, 1881, and to add to said act two additional sections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the title of an act entitled "An act to suppress and
3 prevent the spread of pleuro-pneumonia among cattle," approved May 31, 1881,
4 be and the same is hereby amended, so as to read as follows: "An act to
5 suppress and prevent the spread of contagious pleuro-pneumonia among cat-
6 tle, and contagious and infectious glanders among horses, mules and asses."
7 "Section 2. And be it further enacted, that there is hereby added to said
8 act two additional sections, to be known as sections 10 and 11, which shall
9 read as follows:

10 "Section 10. And be it further enacted that all rules, regulations, require-
11 ments, fees, salaries and penalties that attach to, or are embraced in the act
12 aforesaid shall apply and be enforced in like manner in the suppression of
13 and prevention of the spread of the disease known as contagious or infec-
14 tious glanders among horses, mules and asses; and that all officers, agents
15 or employees named in said act, shall have all the authority to and shall be
16 required to enforce all laws laid down in said act for the suppression and
17 prevention of pleuro-pneumonia among cattle, for the suppression of and the
18 prevention of the spread of contagious and infectious glanders among horses,

19 mules and assets, and for said purpose may use and exercise all the powers
20 mentioned in said act.

21 "Section 11. And be it further enacted that the sum of (\$10,000) ten thou-
22 sand dollars is hereby appropriated for said purposes, or so much as is nec-
23 essary, \$3,000 of which shall be used as a contingent fund, for which said
24 veterinary surgeon shall give bond with approved security, and a sworn
25 statement to the Governor of the manner and necessity for such expenditure
26 out of any moneys in the State treasury not otherwise appropriated.

27 "Section 12. Whereas, the disease known as contagious and infectious
28 glanders is now prevailing in many parts of the State, entailing great loss
29 in property of the State and endangering human life, therefore an emergency
30 exists, and this act shall be in force from and after its passage."

1. Introduced by Mr. Gillham, April 27, 1883, and ordered to first reading.
2. First reading April 27, 1883, and referred to Committee on Agriculture and Drainage.
3. Reported back May 4, 1883, passage recommended, and ordered to second reading.
4. Second reading May 15, 1883, amended and ordered third reading.

A BILL

For An Act to amend the title of an act entitled "An act to suppress and prevent the spread of pleuro-pneumonia among cattle," approved May 31, 1881, and to add to said act two additional sections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That the title of an act entitled "An act to suppress and
3 prevent the spread of pleuro-pneumonia among cattle," approved May 31, 1881,
4 be and the same is hereby amended, so as to read as follows: "An act to
5 suppress and prevent the spread of contagious pleuro-pneumonia among cat-
6 tle, and contagious and infectious glanders among horses, mules and asses."

7 § 2. *And be it further enacted,* That there is hereby added to said act two
8 additional sections, to be known as sections 10 and 11, which shall read as
9 follows:

10 "Section 10. *And be it further enacted,* That all rules, regulations, require-
11 ments, fees, salaries and penalties that attach to, or are embraced in the act
12 aforesaid, shall apply and be enforced in like manner in the suppression of
13 and prevention of the spread of the disease known as contagious or infec-
14 tious glanders among horses, mules and asses; and that all officers, agents
15 or employees named in said act, shall have all the authority to and shall be
16 required to enforce all laws laid down in said act for the suppression and
17 prevention of pleuro-pneumonia among cattle, for the suppression of and the

18 prevention of the spread of contagious and infectious glanders among horses.
19 mules and asses, and for said purpose may use and exercise all the powers
20 mentioned in said act.

21 "Section 11. *And be it further enacted*, That the sum of (10,000) ten thou
22 sand dollars is hereby appropriated for said purposes, or so much as is nec-
23 essary, \$3,000 of which shall be used as a contingent fund, for which said
24 veterinary surgeon shall give bond with approved security, and a sworn
25 statement to the Governor of the manner and necessity for such expenditure,
26 out of any moneys in the State treasury not otherwise appropriated."

27 § 3. Whereas, the disease known as contagious and infectious glanders is
28 now prevailing in many parts of the State, entailing great loss in property
29 of the State and endangering human life, therefore an emergency exists,
30 and this act shall be in force from and after its passage.

1. Reported to House May 17, 1883.
2. First reading May 17, 1883, and referred to Committee on Agriculture, Horticulture and Dairying.
3. Reported back, passage recommended, report concurred in, and ordered to second reading.

A BILL

For An Act to amend the title of an act entitled "An act to suppress and prevent the spread of pleuro-pneumonia among cattle," approved May 31, 1881, and to add to said act three additional sections.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That the title of an act entitled "An act to suppress and
3 prevent the spread of pleuro-pneumonia among cattle," approved May 31,
4 1881, be, and the same is hereby amended, so as to read as follows: "An act
5 to suppress and prevent the spread of contagious pleuro-pneumonia among
6 cattle, and contagious and infectious glanders among horses, mules and
7 asses."

§ 2. *And be it further enacted,* That there is hereby added to said act
2 three additional sections, to be known as sections 10, 11 and 12, which shall
3 read as follows:
4 "Section 10. *And be it further enacted,* That all rules, regulations,
5 requirements, fees, salaries and penalties that attach to, or are embraced in
6 the act aforesaid shall apply and be enforced in like manner in the
7 suppression of and prevention of the spread of the disease known as
8 contagious or infectious glanders among horses, mules and asses; and that
9 all officers, agents or employees named in said act, shall have all the
10 authority to, and shall be required to enforce all laws laid down in said act
11 for the suppression and prevention of pleuro-pneumonia among cattle, for

12 the suppression of and the prevention of the spread of contagious and
13 infectious glanders among horses, mules and asses, and for said purpose, may
14 use and exercise all the powers mentioned in said act.

15 "Section 11. *And be it further enacted.* That the sum of ten thousand
16 dollars (\$10,000) is hereby appropriated for said purposes, or so much as is
17 necessary, \$3,000 of which shall be used as a contingent fund, for which said
18 veterinary surgeon shall give bond, with approved security, and a sworn
19 statement to the Governor of the manner and necessity for such expenditure,
20 out of any moneys in the State treasury not otherwise appropriated.

21 "Section 12. Whereas, the disease known as contagious and infectious
22 glanders is now prevailing in many parts of the State, entailing great loss in
23 property of the State, and endangering human life, therefore an emergency
24 exists, and this act shall be in force from and after its passage."

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1. Introduced by Mr. Needles, May 1, 1883, and ordered to first reading.
 2. First reading May 1, 1883, and referred to Committee on Revenue.
 3. Reported back May 4, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to amend section two hundred and three (203) of an act entitled
"An act for the assessment of property, and for the levy and collection of
taxes," approved March 30, 1872, in force July 1, 1872, as amended by act
approved June 2, 1881, in force July 1, 1881.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section two hundred and three of an act entitled
3 "An act for the assessment of property, and for the levy and collection of
4 taxes," approved March 30, 1872, in force July 1, 1872, as amended by act ap-
5 proved June 2, 1881, in force July 1, 1881, be amended, so as to read as fol-
6 lows:
7 "Section 203. Every tract or lot so offered at public sale, and not sold for
8 want of bidders, shall be forfeited to the State of Illinois."

1. Introduced by Committee on Judiciary, May 4, 1883, and ordered to first reading.
2. First reading May 4, 1883, and ordered to second reading.

A BILL

For An Act to amend sections one (1) and two (2) of an act entitled "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An Act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said road," approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2) of an act entitled "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873, be, and the same is hereby amended, so as to read as follows:

"Section 1. If any railroad corporation, or bridge company doing business, a part in this State and a part in another State, organized or doing business in this State under any act of incorporation, or general law of this

14 State, now in force or which may hereafter be enacted, or any railroad cor-
15 poration or *bridge company* organized or which may hereafter be organized
16 under the laws of any other State, and doing business in this State, shall
17 charge, collect, demand or receive more than a fair and reasonable rate of
18 toll or compensation, for the transportation of passengers or freight, of any
19 description, or for the use and transportation of any railroad car upon its
20 track, or any of the branches thereof or upon any railroad within this State
21 which it has the right, license or permission to use, operate or control, the
22 same shall be deemed guilty of extortion, and upon conviction thereof shall
23 be dealt with as hereinafter provided.

24 "Section 2. If any such railroad corporation, or *bridge company*, aforesaid
25 shall make any unjust discrimination in its rates or charges of toll, or com-
26 pensation, for the transportation of passengers or freight of any description,
27 or for the use and transportation of any railroad car upon its said road,
28 or upon any of the branches thereof, or upon any railroads connected
29 therewith, which it has the right, license or permission to operate, control or
30 use, within this State, the same shall be deemed guilty of having violated
31 the provisions of this act, and upon conviction thereof shall be dealt with
32 as hereinafter provided."

1. Introduced by Committee on Judiciary, May 4, 1883, read first time and ordered to second reading.
2. Second reading May 15, 1883, amended and ordered to third reading.

A BILL

For An Act to amend sections one (1) and two (2) of an act entitled "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An Act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That sections one (1) and two (2) of an act entitled "An
3 act to prevent extortion and unjust discrimination in the rates charged for
4 the transportation of passengers and freights on railroads in this State
5 and to punish the same, and prescribe a mode of procedure and rules of
6 evidence in relation thereto, and to repeal an act entitled an act to pre-
7 vent unjust discriminations and extortions in the rates to be charged by the
8 different railroads in this State for the transportation of freights on said
9 roads, approved April 7, A. D. 1871, approved May 2, 1873, in force July
10 1, 1873," be, and the same are hereby amended, so as to read as follows:
11 "Section 1. If any railroad corporation, or *bridge company*, organized or
12 doing business in this State under any act of incorporation or general law of
13 this State now in force or which may hereafter be enacted, or any railroad cor-

14 poration or bridge company organized or which may hereafter be organized
15 under the laws of any other State, and doing business in this State, shall
16 charge, collect, demand or receive more than a fair and reasonable rate of
17 toll or compensation, for the transportation of passengers or freight, of any
18 description, or for the use and transportation of any railroad car upon its
19 track, or any of the branches thereof or upon any railroad within this State
20 which it has the right, license or permission to use, operate or control, the
21 same shall be deemed guilty of extortion, and upon conviction thereof shall
22 be dealt with as hereinafter provide .

23 "Section 2. If any such corporation or bridge company, aforesaid,
24 shall make any unjust discrimination in its rates or charges of toll, or com-
25 pensation, for the transportation of passengers or freight of any description,
26 or for the use and transportation of any railroad car upon its said road,
27 or upon any of the branches thereof, or upon any railroads connected
28 therewith, which it has the right, license or permission to operate, control or
29 use, within this State, the same shall be deemed guilty of having violated
30 the provisions of this act, and upon conviction thereof shall be dealt with
31 as hereinafter provided."

1. Reported to House May 24, 1883.
2. First reading June 5, 1883, and ordered to second reading.

A BILL

For An Act to amend sections one (1) and two (2) of an act entitled "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2) of an act entitled "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads, approved April 7, A. D. 1871, approved May 2, 1873, in force July 1, 1873," be, and the same are hereby amended, so as to read as follows:

"Section 1. If any railroad corporation or bridge company, organized or doing business in this State under any act of incorporation or general law of this State now in force or which may hereafter be enacted, or any railroad corporation or bridge company organized or which may hereafter be organized

15 under the laws of any other State, and doing business in this State, shall
16 charge, collect, demand or receive more than a fair and reasonable rate of
17 toll or compensation for the transportation of passengers or freight, of any
18 description, or for the use and transportation of any railroad car upon its
19 track, or any of the branches thereof, or upon any railroad within this State
20 which it has the right, license or permission to use, operate or control, the
21 same shall be deemed guilty of extortion, and upon conviction thereof shall be
22 dealt with as hereinafter provided.

23 "Section 2. If any such railroad corporation or bridge company aforesaid,
24 shall make any unjust discrimination in its rates or charges of toll, or compen-
25 sation, for the transportation of passengers or freight of any description, or for
26 the use and transportation of any railroad car upon its said road, or upon any
27 of the branches thereof, or upon any railroads connected therewith, which it
28 has the right, license or permission to operate, control or use within this State,
29 the same shall be deemed guilty of having violated the provisions of this act,
30 and upon conviction thereof shall be dealt with as hereinafter provided."

HOUSE AMENDMENTS TO SENATE BILL NO. 430.

Amend the title, by adding thereto the words, "and extend the provisions
2 of said act to bridge companies."

3 Also amend, by adding the following: "*Provided*, that special rates uniform
4 as to quantity, termini and kind of freight carried given under the authority
5 of its Railroad and Warehouse Commissioners, to persons and corporations,
6 located in this State, shall not be deemed unjust discriminations."

HOUSE AMENDMENTS TO SENATE BILL NO. 430.

Amend the title by adding thereto the words "and extend the provisions

3 of said act to bridge companies."

8 Also amend by adding the following: "Provided that special rates uniform

4 as to quantity, terminal and kind of freight carried given under the authority

5 of its Railroad and Warehouse Commissioners to persons and corporations

6 located in this State shall not be deemed unjust discriminations."

1. Introduced by Mr. Needles May 2, 1883, and ordered to first reading.
2. First reading May 9, 1883, and referred to Committee on Judiciary.
3. Reported back May 28, 1883, with amendments, passage recommended, and ordered to second reading.

COMMITTEE AMENDMENTS TO SENATE BILL NO. 432. PROPOSED BY
THE COMMITTEE ON JUDICIARY.

1. Amend, by striking out of section four, after the word "education," in
- 2 line 13, all up to and including the word "require" in line 20.
- 3 2. Add the following to said section four:
- 4 "*Provided*, that whenever any person or persons shall make any settlement
- 5 upon or provision for the support and education of any minor child, it shall
- 6 be competent for the court, in case either the father or mother of said child
- 7 be dead, to make such order in relation to the visitation of such minor child
- 8 by such person or persons so making such settlement or provision as shall to
- 9 the court seem meet and proper."

A BILL

For An Act to amend section four of an act entitled "An act in regard to
guardians and wards," approved April 10, 1872, in force July 1, 1872.

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- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
- 2 *General Assembly:* That section four of an act entitled "An act in regard
 - 3 to guardians and wards," approved April 10, 1872, in force July 1, 1872, be
 - 4 amended, so as to read as follows:
 - 5 "Section 4. The guardian of a minor shall have, under the direction of the

6 court, the custody, nurture and tuition of his ward and the care and man-
7 agement of his estate. But the father of the minor if living, and in case of
8 his death the mother, they being respectively competent to transact their
9 own business, and fit persons, shall be entitled to the custody of the person of
10 the minor, and the care of his education.

11 "[And in case of the death of either father or mother, the court in chancery
12 may make such order in relation to the custody and education of the minor
13 as the interest and well being of such minor may require.]

14 "In case the father and mother shall live apart, the court may, for good
15 reason, award the custody and education of the minor to the mother, or other
16 proper person."

1. Introduced by Mr. Needles May 9, 1883, and ordered to first reading.
2. First reading May 9, 1883, and referred to Committee on Judiciary.
3. Reported back May 23, 1883, with amendments, passage recommended, and ordered to second reading.
4. May 24, 1883, amended, and ordered to third reading.

A BILL

For An Act to amend section four of an act entitled "An act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section four of an act entitled "An act in regard
3 to guardians and wards," approved April 10, 1872, in force July 1, 1872, be
4 amended, so as to read as follows:

5 "Section 4. The guardian of a minor shall have, under the direction of the
6 court, the custody, nurture and tuition of his ward and the care and man-
7 agement of his estate. But the father of the minor, if living, and in case of
8 his death the mother, they being respectively competent to transact their
9 own business, and fit persons, shall be entitled to the custody of the person of
10 the minor, and the care of his education. In case the father and mother
11 shall live apart, the court may, for good reason, award the custody and
12 education of the minor to the mother, or other proper person: *Provided*, that
13 whenever any person or persons shall make any settlement upon or pro-
14 visions for the support and education of any minor child, it shall be compe-
15 tent for the court, in case either the father or mother of such child be dead,
16 to make such order in relation to the visitation of such minor child by such
17 person or persons so making such settlement or provision, as shall to the court
seem meet and proper."

1. Reported to House June 6, 1883.
2. First reading June 6, 1883, and ordered to second reading.

A BILL

For An Act to amend section four of an act entitled "An act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That section four of an act entitled "An act in regard
3 to guardians and wards," approved April 10, 1872, in force July 1, 1872, be
4 amended, so as to read as follows:
5 "Section 4. The guardian of a minor shall have, under the direction of the
6 court, the custody, nurture and tuition of his ward and the care and man-
7 agement of his estate. But the father of the minor, if living, and in case of
8 his death the mother, they being respectively competent to transact their
9 own business, and fit persons, shall be entitled to the custody of the person of
10 the minor, and the care of his education. In case the father and mother
11 shall live apart, the court may, for good reason, award the custody and
12 education of the minor to the mother, or other proper person: *Provided, that*
13 *whenever any person or persons shall make any settlement upon or pro-*
14 *visions for the support and education of any minor child, it shall be compe-*
15 *tent for the court, in case either the father or mother of such child be dead,*
16 *to make such order in relation to the visitation of such minor child by such*
17 *person or persons so making such settlement or provision, as shall to the court*
18 *seem meet and proper."*

1. Introduced by Mr. Bell May 16, 1883, and ordered to first reading.
2. First reading May 16, 1883, and referred to Committee on Revenue.
3. Reported back May 17, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to amend section one (1) of an act entitled "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That section one (1) of an act entitled "An act for the
3 assessment of property and for the levy and collection of taxes," approved
4 March 30, 1872, be, and is hereby amended, so as to read as follows:

5 "Section 1. *Be it enacted by the people of the State of Illinois, represented in the*
6 *General Assembly:* That the property named in this section shall be assessed
7 and taxed, except so much as may be in this act exempted:

8 *First*—All real and personal property in this State.

9 *Second*—All moneys, credits, bonds or stocks, and other investments, the
10 shares of stock of incorporated companies and associations, and all other
11 personal property, including property *in transitu* to or from this State, used,
12 held, owned or controlled by persons residing in this State.

13 *Third*—The shares of capital stock of banks and banking companies doing
14 business in this State.

15 *Fourth* The capital stock of companies and associations incorporated
16 under laws of this State: *Provide*, that mutual building, loan and home-
17 stead associations which now are, or hereafter may be organized under an
18 act entitled "An act to enable associations of persons to become a body

19 corporate to raise funds to be loaned only among the members of such
20 association," in force July 1, 1879, and organized under "An act to enable
21 associations of persons to become a body corporate to raise funds to be
22 loaned only among their members," approved April 4, 1872, shall not be
23 required to list for taxation any notes mortgages or trust deeds which are
24 simply taken by such associations from members thereof to secure the
25 payment of any monthly installments contracted to be paid by such members
26 and that the shares of stock of such associations shall not be listed, provided
27 the money paid on such shares of stock shall, within six months, go into
28 taxable real estate."

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1. Introduced by Mr. Seiter, May 23 1883, read first time, and referred to Committee on Municipalities.
 2. Reported back May 24, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act to provide for the disposition of revenues derived from the licensing of dram-shops by cities, towns and villages, and to repeal certain acts in relation thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That all revenues derived from the licensing of dram-
3 shops by cities, towns and villages, in this State, shall inure to the city
4 town or village in which such licenses are granted, and shall be paid into
5 the treasury of such city, town or village by the officers collecting the
6 same.

§ 2. That all acts and parts of acts in conflict with the provisions of this
2 act are hereby repealed.

1. Introduced by Mr. Evans, May 23, 1883, read first time, and referred to Committee on Insurance.
2. Reported back May 24, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act to authorize fire insurance companies to insure against lightning, wind-storms, tornadoes and cyclones.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That all insurance companies heretofore organized under
3 any law or laws of the State of Illinois, having power to make insurance
4 against loss by fire, are hereby authorized to make insurance against loss by
5 lightning, wind-storms, tornadoes and cyclones, or either or all of them, pro-
6 vided the same shall be clearly expressed in the policy.

1. Introduced by Mr White, May 31, 1883, and ordered to first reading.
2. First reading May 31, 1883, and referred to Committee on Municipalities.
3. Reported back June 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act entitled "An act to enable park commissioners having control of parks to take, regulate, control and improve parks now under the control of incorporated cities, villages or towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That every board of public park commissioners shall have
3 the power to take un'er its control, and to regulate, control and govern, in
4 the same manner as it may govern other parks or boulevards under its
5 control, any public park now under the control or jurisdiction of any incor-
6 porated city, town or village: *Provided*, that the park so taken shall lie
7 within the district or territory, the property of which shall be taxable for the
8 maintenance of the parks or boulevards under the control of any such
9 board of park commissioners: *And, provided further*, that the consent of the
0 authorities of any city, town or village having control of the park so to be
1 taken, and also the consent in writing of the owners of a majority of the
2 frontage of the lots and lands abutting on the park so to be taken, shall be
3 first obtained.

§ 2. Such boards of park commissioners shall have the same power and control over the parks taken under this act as are, or may be by law vested in them, of and concerning the parks, boulevards or driveways now under their control.

§ 3. In case any such parks so to be taken shall pass from the control of any such park board, the power and authority over the same, granted or

3 authorized by this act, shall revert to the proper authorities of such city, town
4 or village; as the case may be, as aforesaid.

§ 4. Any city, town or village in this State shall have full power and
2 authority to vest any such board of public park commissioners with the right
3 to control, improve and maintain any such park within the district over which
4 such board of park commissioners has jurisdiction, for the purposes of carry-
5 ing out the provisions of this act, and in accordance with its intent.

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1. Introduced by Mr White, May 31, 1883, and ordered to first reading.
 2. First reading May 31, 1883, and referred to Committee on Municipalities.
 3. Reported back June 6, 1883, passage recommended, and ordered to second reading.
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A BILL

For An Act entitled "An act to enable park commissioners having control of parks to take, regulate, control and improve parks now under the control of incorporated cities, villages or towns.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That every board of public park commissioners shall have
3 the power to take un'er its control, and to regulate, control and govern, in
4 the same manner as it may govern other parks or boulevards under its
5 control, any public park now under the control or jurisdiction of any incor-
6 porated city, town or village: *Provided*, that the park so taken shall lie
7 within the district or territory, the property of which shall be taxable for the
8 maintenance of the parks or boulevards under the control of any such
9 board of park commissioners: *And, provided further*, that the consent of the
0 authorities of any city, town or village having control of the park so to be
taken, and also the consent in writing of the owners of a majority of the
frontage of the lots and lands abutting on the park so to be taken, shall be
first obtained.

§ 2. Such boards of park commissioners shall have the same power and control over the parks taken under this act as are, or may be by law vested in them, of and concerning the parks, boulevards or driveways now under their control.

§ 3. In case any such parks so to be taken shall pass from the control of any such park board, the power and authority over the same, granted or

3 authorized by this act, shall revert to the proper authorities of such city, town
4 or village; as the case may be, as aforesaid.

§ 4. Any city, town or village in this State shall have full power and
2 authority to vest any such board of public park commissioners with the right
3 to control, improve and maintain any such park within the district over which
4 such board of park commissioners has jurisdiction, for the purposes of carry-
5 ing out the provisions of this act, and in accordance with its intent.

1. Introduced by Mr. White, June 6, 1883, and ordered to first reading.
2. First reading June 6, 1883, and referred to Committee on Municipalities.
3. Reported back June 6, 1883, passage recommended, and ordered to second reading.

A BILL

For An Act prescribing the duty of Recorders to make and furnish abstracts of title to real estate in counties having abstract books.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That in all counties of this State which have kept or pro-
3 cured, or which shall keep or procure abstract books as prescribed by section
4 twelve of an act entitled "An act to revise the law in relation to recorders,"
5 approved March 9, A. D., 1874, it shall be the duty of recorders in addition
6 to their duties as now prescribed by law, on application therefor in writing,
7 to make and furnish abstracts of title to any piece or pieces of real estate,
8 situated in their respective counties, wherein the recorder shall certify to
9 all conveyances, judgments, tax sales and forfeitures, which at the date of
10 such certificate appear from the records, abstract books and other indexes
11 of his office, to be liens on such real estate. Such recorders are authorized
12 to make and keep such index books as shall be necessary to enable them to
13 perform with efficiency the duties herein prescribed.

§ 2. Such recorder is hereby authorized to charge as fees for abstracts so
2 made and furnished by him, not to exceed three dollars for his certificate
3 thereto, nor more than one dollar for each conveyance, judgment, tax sale,
4 forfeiture or other matters of record deemed by him to be a lien on or to
5 affect the title to said real estate, and by him set forth or noted in such
6 abstract. *Provided*, that when any matter of record which should be set

7 forth shall require more than one page of such abstract, or three folios, of one
8 hundred words each, said recorder may charge therefor at the rate of not to
9 exceed one dollar per page, of three folios each. In all cases where recorders
10 of deeds are paid a fixed salary in lieu of fees, such fees when received in ex-
11 cess of all necessary expenses incurred by them in making and furnishing
12 such abstracts, shall be paid into the county treasury.

§ 3. *It is further provided*, that in no case shall any county be liable to any
2 person who may be injured or damaged by reason of any omission or error of
3 such recorder in making or furnishing abstracts of title beyond the excess of
4 fees over expenses which may have accrued to such county through the
5 making and furnishing of abstracts of title in pursuance of this act.

1. Introduced by Mr. White, June 6, 1883, and ordered to first reading.
2. First reading June 6, 1883, and referred to Committee on Municipalities.
3. Reported back June 6, 1883, passage recommended, and ordered to second reading.
4. Second reading June 7, 1883, amended and ordered to a third reading.

A BILL

For An Act prescribing the duty of Recorders to make and furnish abstracts of title to real estate in counties having abstract books.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*
2 *General Assembly:* That in all counties of this State which have kept or pro-
3 cured, or which shall keep or procure abstract books as prescribed by section
4 twelve of an act entitled "An act to revise the law in relation to recorders,"
5 approved March 9, A. D. 1874, it shall be the duty of recorders in addition to
6 their duties as now prescribed by law, on application therefor in writing, to
7 make and furnish abstracts of title to any piece or pieces of real estate, situ-
8 ated in their respective counties, wherein the recorder shall certify to all
9 conveyances, judgments, tax sales and forfeitures, which at the date of such
10 certificate appear from the records, abstract books and other indexes of his
11 office, to be liens on such real estate. Such recorders are authorized to make
12 and keep such index books as shall be necessary to enable them to perform
13 with efficiency the duties herein prescribed.

§ 2. Such recorder is hereby authorized to charge as fees for abstracts so
2 made and furnished by him, not to exceed three dollars for his certificate
3 thereto, nor more than one dollar for each conveyance, judgment, tax sale,
4 forfeiture or other matters of record deemed by him to be a lien on or to
5 affect the title to said real estate, and by him set forth or noted in such
6 abstract. *Provided*, that when any matter of record which should be set

7 forth shall require more than one page of such abstract, or three folios, of one
 8 hundred words each, said recorder may charge therefor at the rate of not to
 9 exceed one dollar per page, of three folios each. In all cases where recorders
 10 of deeds are paid a fixed salary in lieu of fees, such fees when received in ex-
 11 cess of all necessary expenses incurred by them in making and furnishing
 12 such abstracts, shall be paid into the county treasury.

1. Introduced by Committee on Railroads, June 6, 1883, and ordered to first reading.
2. First reading June 6, 1883, and ordered to second reading.

A BILL

For An Act to provide for the appointment of State weighmasters.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

2 *General Assembly:* That there shall be appointed by the Railroad and Ware-
3 house Commissioners in all cities where there is State inspection of grain, a
4 State weighmaster and such assistants as shall be necessary, such appointees
5 to be subject to removal at the pleasure of said commissioners.

§ 2. Said State weighmasters and assistants shall, at the places aforesaid,
2 supervise and have control of the weighing of all grain, seeds, bran and sim-
3 ilar property which may be received at, or shipped from, such cities in bulk,
4 by any railroad company, or of any other property on the request of the
5 buyer or seller. It shall be the duty of said State weighmasters and his as-
6 sistants, and they are hereby authorized, to fully inspect, examine and test any
7 scales or other appliances used in the weighing of such commodities, and the
8 certificate of said weighmasters as to the weight of property so received or
shipped shall be conclusive as to its weight upon all parties interested.

§ 3. The board of Railroad and Warehouse Commissioners shall from time
to time, fix and establish the fees to be paid for the weighing of such grain or
other property, said fees to be adjusted in such amounts as will, in the judg-
ment of the said board, be sufficient to defray the expense of this service, econ-
omically administered and no more, said fees to be paid by the party to whom
the warehouse receipt or certificate of weight of the property shall be delivered.

§ 4. Said State weighmaster and assistants shall not be a member of any

2 board of trade or association of like character; they shall give bonds in the
3 sum of five thousand dollars, conditioned for the faithful discharge of their
4 duties, and shall receive such compensation as the Board of Railroad and
5 Warehouse Commissioners shall determine.

§ 5. The Railroad and Warehouse Commissioners shall adopt such rules
2 and regulations for the weighing of grain and other property as herein pro-
3 vided, as they shall deem proper, and the observance of said rules and regula-
4 tions, shall be binding upon any railroad company to which they may apply
5 and upon the said weighmaster and his assistants.

§ 6. In case any railroad corporation or warehouse proprietor, shall neglect
2 or refuse to comply with the rules and regulations prescribed by the Board of
3 Railroad and Warehouse Commissioners, in respect to the weighing of property
4 as herein provided, or in case any person, warehouseman or railroad corpora-
5 tion, or any of their agents or employees, shall refuse or prevent the afore-
6 said State weighmaster or either of his assistants from having access to their
7 scales, in the regular performance of their duties in supervising the weighing of
8 any grain or other property in accordance with the tenor and meaning of this
9 act, they shall forfeit the sum of one hundred dollars for each and every offense,
10 to be recovered in an action of debt before any justice of the peace, in the
11 name of the People of the State of Illinois; such penalty or forfeiture to be
12 paid to the county in which the suit is brought, and shall also be required to
13 pay all costs of prosecution.

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1. Introduced by Mr. Sunderland, June 8, 1883, and ordered to first reading.
 2. First reading June 8, 1883, and referred to Committee on Finance.
 3. Reported back June 18, 1883, with amendments, passage recommended and ordered to second reading.
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AMENDMENTS TO SENATE BILL No. 444, RECOMMENDED BY COMMITTEE ON FINANCE.

Amend, by inserting after the words "revenue fund," in line 8 of written bill, the following words and figures: "fifteen hundred thousand dollars (\$1,500,000)."

Amend, by inserting after the word "and," in line 10 of written bill, the following words and figures: "fifteen hundred thousand dollars (\$1,500,000)."

Amend, by inserting after the words "the sum of," in line 16 of written bill, the following words and figures, "nine hundred thousand dollars (\$900,000)."

Amend, by inserting after the words "the sum of," in line 18 of written bill, the following words and figures, "one million dollars (\$1,000,000)."

A BILL

For An Act to provide the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be raised by levying a tax, by valuation, upon the assessed taxable property in this State, the following sums for the purposes hereinafter set forth: For general purposes, to be designated "Revenue Fund,".....upon the assessed value of property for the year 1883, and.....upon the assessed value of property for the year 1884.

7 There shall also be raised by levying a tax, by valuation, upon the assessed taxable
 8 property for the years A. D. 1883 and 1884, in this State, for State school purposes,
 9 to be designated "State School Fund," the following sums, to-wit: The sum of
 10for the year 1883, upon the assessed taxable property, and the sum
 11 of.....for the year 1884, upon the assessed taxable property for the
 12 year 1884, in lieu of the two mill tax.

§ 2. The Governor and Auditor shall annually compute the separate rates per
 2 cent. required to produce not less than the above amounts, anything in any
 3 other act providing a different manner of ascertaining the amount of revenue
 4 required to be levied for State purposes to the contrary notwithstanding, and
 5 when so ascertained, the Auditor shall certify to the county clerks the proper
 6 rates per cent. therefor, and also such definite rates for other purposes as are
 7 now, or may hereafter be provided by law, to be levied and collected as State
 8 taxes; and all laws and parts of laws in conflict with this act are hereby re-
 9 pealed.

SENATE JOINT RESOLUTION.

Mr. Crews, Chairman of the Finance Committee, reported back the following Senate Joint Resolution, June 7, 1883:

WHEREAS, the Twenty-seventh General Assembly of this State did pass a resolution in the words and figures, to-wit:

Resolved by the Senate, the House concurring herein, That the Governor be, and he is hereby instructed to sell to the city of Carbondale the bonds of said city now in his possession, issued by the said city for the use and benefit of the Illinois Normal University at Carbondale, in accordance with the provisions of an act to appoint commissioners to construct the Southern Illinois Insane Asylum and the Southern Illinois Normal University, and to make appropriations therefor, approved April 13, 1871, for no less than \$30,000, in full of said bonds and the interest that may have accrued thereon; which amount, when so paid, shall be transferred to the commissioners of the said Southern Illinois Normal University, located at Carbondale, to be used by them in the construction and completion of the same: *Provided*, that said sum of \$30,000 be paid on or before the first day of July, 1872;" and

WHEREAS, In pursuance of said resolution, the said city of Carbondale did issue bonds amounting in the aggregate to \$40,000, which said bonds were sold in the city of New York for \$28,000, and the proceeds thereof applied by said city in the purchase of ninety-two thousand dollars of its bonds, as contemplated by said resolution herein recited, thus leaving in the hands of the State eight thousand dollars of the one hundred thousand dollars series of said bonds, which said \$8,000 of bonds are now held by the State to secure the payment of the \$2,000 still due the State under and by virtue of said resolution; and

WHEREAS, The city of Carbondale, with a population of less than 2,500 people, has now an outstanding municipal debt of \$70,000, of the character of

26 7 per cent. interest bearing bonds, which said bonds were issued in aid of
27 the Southern Illinois Normal University, and the proceeds arising therefrom
28 applied by the State in the construction of said university; therefor, be it
29 *Resolved by the Senate, the House concurring herein*, That the Governor be,
30 and he is hereby directed to surrender to the city of Carbondale, for can-
31 cellation, the \$8,000 in bonds now in the possession of the State, and issued
32 by said city in aid of the Southern Illinois Normal University.

1- March 26, 1883, 300 copies ordered printed for use of House.

Joint Resolution concerning the amendment of Section 16, Article 5 of the
Constitution.

Resolved by the Senate, the House of Representatives concurring herein, That

2 there shall be submitted to the electors of this State, at the next election
3 for members of the General Assembly, a proposition to amend Section sixteen
4 (16), of Article five (5), of the Constitution of this State, so that the same may
5 read as follows:

6 "Section 16. Every bill passed by the General Assembly shall, before it
7 becomes a law, be presented to the Governor.

8 "If he approve he shall sign it and thereupon it shall become a law, but
9 if he do not approve, he shall return it, with his objections, to the house in
10 which it shall have originated, which house shall enter the objections at
11 large upon its journal and proceed to reconsider the bill. If then two-thirds
12 of the members elected agree to pass the same, it shall be sent, together
13 with the objections, to the other house, by which it shall likewise be recon-
14 sidered, and if approved by two-thirds of the members elected to that house,
15 it shall become a law, notwithstanding the objections of the Governor; but
16 in all such cases the vote of each house shall be determined by the yeas and
17 nays, to be entered on the journal.

18 "Bills making appropriations of money out of the treasury shall specify
19 the objects and purposes for which the same are made, and appropriate to
20 them respectively their several amounts in distinct items and sections. And
21 if the Governor shall not approve any one or more of the items or sections
22 contained in any bill, but shall approve the residue thereof, it shall become
23 a law as to the residue in like manner as if he had signed it.

24 "The Governor shall then return the bill, with his objections to the items
25 or sections of the same not approved by him, to the house in which the bill
26 shall have originated, which house shall enter the objections at large upon
27 its journal, and proceed to reconsider so much of said bill as is not approved
28 by the Governor.

29 "The same proceedings shall be had in both houses in reconsidering the
30 same as is hereinbefore provided in case of an entire bill returned by the
31 Governor with his objections; and if any item or section of said bill not ap-
32 proved by the Governor, shall be passed by two-thirds of the members elected
33 to each of the two houses of the General Assembly, it shall become part of
34 said law, notwithstanding the objections of the Governor.

35 "Any bill which shall not be returned by the Governor within ten days
36 (Sundays excepted) after it shall have been presented to him, shall become a
37 law in like manner as if he had signed it, unless the General Assembly shall
38 by their adjournment prevent its return, in which case it shall be filed with
39 his objections in the office of the Secretary of State within ten days after
40 such adjournment, or become a law."

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1. February 9, 1883, 200 copies ordered printed for use of Senate.
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SUBSTITUTE

For Senate Joint Resolution concerning the amendment of Section 16, Article 5 of the Constitution.

Resolved by the Senate, the House of Representatives concurring herein, That

2 there shall be submitted to the electors of this State at the next election for
3 members of the General Assembly, a proposition to amend Section sixteen (16)
4 of Article five (5) of the Constitution of this State, so that the same may read
5 as follows:

6 "Section 16. Every bill passed by the General Assembly shall, before it
7 becomes a law, be presented to the Governor.

8 "If he approve he shall sign it and thereupon it shall become a law, but if he
9 do not approve, he shall return it, with his objections, to the house in which it
10 shall have originated, which house shall enter the objections at large upon its
11 journal and proceed to reconsider the bill. If then two-thirds of the members
12 elected agree to pass the same, it shall be sent, together with the objections, to
13 the other house, by which it shall likewise be reconsidered; and if approved by
14 two-thirds of the members elected to that house, it shall become a law, notwith-
15 standing the objections of the Governor; but in all such cases the vote of each
16 house shall be determined by the yeas and nays, to be entered on the journal.

17 "Bills making appropriations of money out of the treasury shall specify the
18 objects and purposes for which the same are made, and appropriate to them
19 respectively their several amounts in distinct items and sections. And if the
20 Governor shall not approve any one or more of the items or sections contained

21 in any bill, but shall approve the residue thereof, it shall become a law as to the
22 residue in like manner as if he had signed it.

23 "The Governor shall then return the bill, with his objections to the items or
24 sections of the same not approved by him, to the house in which the bill shall
25 have originated, which house shall enter the objections at large upon its jour-
26 nal, and proceed to reconsider so much of said bill as is not approved by the
27 Governor.

28 "The same proceedings shall be had in both houses in reconsidering the same
29 as is hereinbefore provided in case of an entire bill returned by the Governor
30 with his objections; and if any item or section of said bill not approved by the
31 Governor, shall be passed by two-thirds of the members elected to each of the
32 two houses of the General Assembly, it shall become part of said law, notwith-
33 standing the objections of the Governor.

34 "Any bill which shall not be returned by the Governor within ten days
35 (Sundays excepted) after it shall have been presented to him, shall become a
36 law in like manner as if he had signed it, unless the General Assembly shall by
37 their adjournment prevent its return, in which case it shall be filed with his
38 objections in the office of the Secretary of State within ten days after such
39 adjournment, or become a law."

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1. Introduced by Mr. Shaw, April 27, 1883, read, and referred to Committee on Judiciary.
 2. Reported back May 11, 1883, with amendments, adoption recommended.
 3. Resolution read May 23, 1883, amended, and ordered printed as amended.
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Resolved, by the Senate of Illinois, the House concurring herein: That the Attorney General be, and he is hereby instructed and directed to take a judgment in the case of *The State against The Kankakee River Improvement Company*, pending in the Circuit Court of Will county, of ouster of the franchise in question in the suit without any judgment against the company's property: *Provided*, that in case the parties defendant in such cause shall stipulate that if, in the future, the State of Illinois or the United States deem it necessary for any purpose to utilize the stream in question, it shall not be incumbent upon the State or the United States to make compensation for any of such property, thereby made necessary to be taken: *And provided, further*, that the terms of such stipulation shall be recited in and made a part of the judgment to be entered in said cause, and costs in said case to be paid by defendants, the payment of costs to be made a condition precedent to the rendition of said judgment.



- 1 Reported from Committee on Judiciary May 23, 1883, in response to
petition presented January 24, 1883, and referred to Committee on
Judiciary February 8, 1883.
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WHEREAS, In the year 1858 E. W. Bakewell and wife, of Normal, Illinois,
2 did, upon certain conditions to be fulfilled by the Board of Education of
3 the State of Illinois, make and execute a deed to said Board of Education
4 for the forty acres of land off of the south side of so much of the north
5 half of the northwest quarter of section twenty-eight, township twenty-four
6 north, range two east of the third principal meridian, as lies west of the
7 State road, which is an extension of Main street in Bloomington north, said
8 forty acres to include said State road; and

9 WHEREAS, Said conveyance was a conditional donation, dependent for its
10 validity upon the performance of certain conditions, which conditions have
11 never been fulfilled or complied with; and

12 WHEREAS, The said Board of Education has since been changed from a
13 private corporation to a board of State officers, and possession and title to
14 said land have been vested in the present State Board of Education, acting
15 in behalf of the State, by reason of which change no proceedings in law or
16 equity can be brought against them; and

17 WHEREAS, The statute of limitations bars the claim of said Bakewell before
18 the commission of claims, leaving his only remedy or chance for justice in
19 the hands of the General Assembly; therefore be it

20 *Resolved by the Senate, the House of Representatives concurring herein.* That the
21 State Board of Education, or its president, be and is hereby directed to
22 execute a conveyance in fee simple of the above described forty acres of
23 land to Julia A. Bakewell

